INQUIRY
MAGAZINE
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David Wise: *The CIA's Loophole Game*

Barton J. Bernstein: *Who Owns History?*

Earl C. Ravenal: *Rethinking Defense*

¡CATALONIA!

A Nation Reborn

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LET'S HEAR IT FOR THE FIRST AMENDMENT

[WHILE WE STILL CAN]

GOVERNMENT CENSORSHIP is about to take a great leap forward.

A government agency—The Federal Communications Commission—believes it has the right to act as our parents and restrict the broadcast of certain words at times when children just *might* be listening—*regardless of any literary, artistic, or social value or the fact that this could seriously limit free expression in the broadcast medium.*

The FCC acted after WBAI—a listener sponsored Pacifica radio station in New York—broadcast a monologue by comedian George Carlin about "seven words you can't say on TV" which satirizes how people get uptight by the use of certain words.

Their mailbox clogged with *one* letter of complaint, the FCC ruled Pacifica to be in violation of the Federal Communications Act. In deciding that a government agency has the right to tell broadcasters what they can or cannot say on the air, they essentially trampled all over the First Amendment.

When Pacifica challenged this ruling, a U.S. Court of Appeals held that the FCC had overstepped its authority in banning "indecent language" at certain hours and that it had wrongly entered into "the forbidden realm of censorship."

Undaunted, the FCC has now taken the "Carlin Case" to the Supreme Court which will consider this critically important constitutional question: *Do all First Amendment rights traditionally enjoyed by free press also extend to radio and television?*

Opposing the FCC—standing up for the right to broadcast a free flow of information and your right to hear it—is Pacifica radio. Broadcasting for thirty-two years, Pacifica is known as "First Amendment Radio," unrestricted by advertisers and committed to the presentation of all points of view.

BANNED?

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Aristophanes
Shakespeare
Jonathan Swift
Ernest Hemingway
Dylan Thomas
Chaucer
Margaret Mead
George Orwell
Lord Byron
The Nixon/Watergate Tapes

What happens in the Carlin Case will not only affect Pacifica but the entire broadcast industry as well. And this, of course, affects YOU.

It's been a tough and expensive battle for us. . . . Now we're asking for your help. Your contribution to the Pacifica First Amendment Fund will help insure that one of our most basic freedoms—the freedom of speech—will remain intact. And, it will help us keep on broadcasting words that the government would rather not hear.

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THIS COUPON FIGHTS CENSORSHIP

YES! I want to help save the public airwaves from the obscenity of government control. Here's my *tax deductible* contribution of

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"FOR CATALANS OF VIRTUALLY every social class and political persuasion," begins David H. Rosenthal in this issue's cover story, "the last year has been a time of euphoric reawakening." First came the Spanish parliamentary elections, in which the parties favoring Catalan autonomy won 90 percent of the vote. Then, in September, more than a million Catalans marched through the streets of Barcelona chanting "Volem l'estatut!" ("We want the statute of autonomy!") Will they get their wish? Perhaps, says Rosenthal, they will.

The rebirth of Catalan nationalism

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Cutting $650 billion from the defense budget

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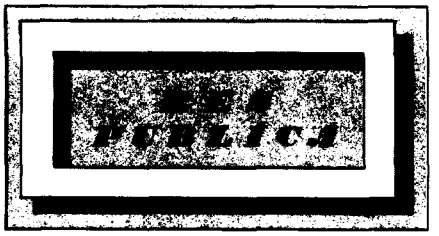

Maybe so

■ Despite new government allegations about Bert Lance's financial activities, Democratic Chairman John C. White describes the former budget director as the Carter Administration's "closest thing to a folk hero. . . ."

—Los Angeles Times, Mar. 21, 1978

He is a judge, after all

■ The Supreme Court ruled today that a state judge who approved the sterilization of a 15-year-old girl is completely immune from her subsequent damage suit, even though there was no authorization for his action in any state law or court decision.

—New York Times, Mar. 29, 1978

We can see how it would be

■ In U.S. aviation annals, the Air Force's C5 cargo jet holds two distinctions: It is the world's largest aircraft and one of the biggest production fiascos in Pentagon history. . . .

Despite the C5's ignominious past, Air Force officials insist the plane isn't a flying turkey. "The C5 does everything it is supposed to do except fly a long time," asserts Lt. Gen. Alton Slay. Adds Major Gen. Charles F. Kuyk Jr.: "We like the airplane." But he concedes, "having the wings fall off at 8,000 hours is a problem."

—Wall Street Journal, Mar. 16, 1978

Couldn't have said it better ourselves

■ Judge Harold P. Burke of United States District Court for the Western District of New York, in a decision released today, ordered Patricia H. Brennan and her husband, J. Paul Brennan, to stop competing with the Postal Service. . . .

In its brief, the Government said: "There is a strong and abiding national interest in having one uniform postal system, operated impartially, unburdened by considerations of profit, serving the entire country. Elimination of this monopoly would seriously threaten the very existence of the Postal Service."

—New York Times, Dec. 29, 1977

That goes for Torres, too

■ A Federal judge today imposed a one-year prison sentence on a former Houston police officer who was convicted last month of beating a Mexican-American prisoner [Joe Campos Torres] and then pushing him into a bayou, where he drowned. . . .

The judge called the Torres case "a situational offense" that officers "will never encounter again."

—New York Times, Mar. 29, 1978

By any other name

■ "Colonial taxes created by the Portuguese to exploit the people of Mozambique have been done with once and for all," FRELIMO [the new revolutionary rulers of Mozambique] announced last week. But, as the Government desperately needs some R500–million "the people will be afforded the privilege of channelling their savings to the general welfare," the minister of finance Salomao Mangwambe explained.

—To the Point International, Mar. 20, 1978

Thanks, Bob, for caring

■ Now, the fact that State allowed this person [Wilfred Burchett] to enter the country comes as no surprise to those of us who have witnessed the double standard of the Department toward leftists during the last 20 years. After all, these are the same people who also allowed entry to an English "punk-rock" group whose only talent appears to be the ability to spend long periods of time in jail and to vomit at will on front-row groupies.

—REP. ROBERT K. DORNAN, *in the Congressional Record, Mar. 15, 1978*

Milking the consumers

■ When shoppers take half-gallons of Grade A milk off their grocers' shelves late next month, they may be paying as much as 5 cents more for it because the price supports for dairy products rise at the end of March.

True to a promise he made to dairy farmers during the 1976 primaries, President Carter has continued his backing of the Agriculture Act of 1977, which raised dairy supports to 180 percent of parity and required that they be adjusted every six months to reflect increases in dairy farmers' costs.

—New York Times, Mar. 12, 1978

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Imperialism without the fig leaf

The Canal treaty amendments

AS AN ARTICLE WE PUBLISHED LAST December, entitled "The Treaty that Wall Street Wrote," made plain, the Panama Canal treaty never was a giveaway. Despite conservative groans to the contrary, and despite language that seemed to grant Panama formal ownership of the canal and to guarantee withdrawal of U.S. troops by the year 2000, the treaty (it is easier to speak of the two separate treaties in the singular) did not, in fact, relinquish this country's control of the canal nor did it return the canal and the ten-mile wide Canal Zone to the Panamanians. Instead, as the author of the article, Murray N. Rothbard, demonstrated, it was a "sophisticated fig leaf for continued American domination of the canal," supported by the Establishment powers, both Republicans and Democrats, who saw it as their best hope of maintaining U.S. control of the canal and protecting U.S. financial interests in Panama.

Even at that time, the reasons for such high-powered bipartisan support of the treaty were clear from the statements of various officials. If the United States were to insist on preserving the original agreement, which guaranteed "in perpetuity the use, occupation, and control" of the Canal Zone, it would sooner or later be faced with the possibility of guerrilla action by Panamanian nationalists or the seizure of the canal by a new regime less friendly to the United States. By giving the appearance of surrendering U.S. control, and thereby neutralizing the growing opposition in Panama, it was thought that the United States would have a better chance of maintaining its favored position there. As Henry Kissinger, a supporter of the treaty, revealingly put it, "It is better to stay in more subtly and induce Panama and the rest of the world to support our dominion, than to stay in nakedly and face the hostility of the Panamanians and most other nations." Nor, as the Carter administration itself made clear, would the United States feel constrained about intervening militarily in Panama if it felt its interests there were threatened, even after the scheduled troop pullout in 2000. "The United States will have the permanent right to defend the neutrality of the canal from any threat, for an indefinite period," said one official statement.

If this was a fig leaf, it was fairly transparent. Certainly there were those in Panama, on both the left and the right, who saw the treaty for what it was. Panama's conservative Movement of Independent Lawyers, for example, denounced the treaty as "a new version—perhaps slightly less grotesque than before—of the hated American perpetuity on the Canal issue." Nevertheless, Panamanians, voting in a national plebiscite in October, endorsed the treaty by a margin of two to one.

On March 16 the U.S. Senate voted 67–23 to ratify the first of the two Panama Canal treaties, the so-called Neutrality Treaty, which would require the United States to withdraw all its military forces from Panama by the year 2000. (The vote on the second treaty, which would turn the canal over to Panama by 2000, is expected early this month.) However, before the Senate agreed to ratify the neutrality treaty, it added several significant "reservations" and "understandings." The most important of these was proposed by Senator Dennis DeConcini of Arizona. Under this reservation, which the Senate approved by a vote of 75–23, the United States would have the explicit right to take military action to prevent the canal from being closed, even after the year 2000, with or without the consent of the Panamanian government. According to DeConcini, the question of consent is crucial, "because the main thrust of this amendment is directed toward situations in which the canal is closed because of internal difficulties in Panama—difficulties like a general strike, a political uprising, or other similar events."

The Carter administration accepted the DeConcini reservation, although it clearly would have preferred not to. As the *Washington Post* observed, "The State Department has always said [that] the more vague wording of the treaty itself assured this right, but DeConcini set it out explicitly. Panamanian officials at various times in the past had used the treaty's vagueness to argue that Panama would have to agree on any use of American force in the country after 2000, but now there is no room left for that argument." In other words, there is no longer a fig leaf, transparent or otherwise.

What, then, will be the consequences for the Panama Canal treaty? First of all, many Panamanians who opposed the treaty are already demanding a new plebiscite. Under Panama's constitution, a national plebiscite is necessary before any new Panama Canal treaty can be ratified. And since, as the treaty opponents argue, the first plebiscite was conducted before the United States's true intentions had been made clear, it is now invalid. It is doubtful whether the Panamanians would vote to approve the treaty today.

Of course, the government of Panama may decide to ignore the demands for another plebiscite and approve the treaty anyway. If this happens, the Panamanian opponents of the treaty say, the treaty itself would be invalid and no future Panamanian government would be bound to observe it. Neither likelihood can be appealing to the members of the U.S. Establishment who thought they had hit upon a nice formula for both keeping the canal and avoiding the risks of keeping it. If the Panamanians vote down the treaty, the United States will be left in exactly the same predicament it sought to avoid in the first place. And if Torrijos approves the treaty without calling a new plebiscite, the situation can only become more volatile.

Imperialism, no matter how carefully masked, will always be the most dangerous of foreign policies. ❑

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Protest at Tokyo airport

Battling land theft

WHEN PROTESTING JAPANESE farmers and New Left radicals entered and disabled the control tower at the almost completed Narita airport outside Tokyo on March 26, they succeeded in delaying for months the long overdue opening of the airport, humiliating the Fukuda government which had made completion of the airport by the end of March a matter of honor, and drawing worldwide attention to the grievances of the farmers whose land has been confiscated to make way for the airport.

The saga of the Narita airport began in 1966 with the decision of the Japanese government, then headed by the late Eisaku Sato, to put a new international airport in the farm community of Sanrizuka in the Narita district. One-third of the original site was taken up with Emperor Hirohito's horse stables and feudal grazing lands. Most of the rest of the area was small private farms.

A new ranch was built for the Emperor at a cost of $6.1 million, while the local landowners were offered plots smaller than their original property. In response, the farmers—aided at first by the Communist Party (who later dropped out) and then by student radicals—organized hundreds of rallies with thousands in attendance, held off the police during riots, induced prominent politicians to take formal title to land plots about to be seized, and built—on nearby private land—steel towers that were tall enough to block the takeoff and landing of all aircraft.

In September and October 1971, thousands of riot police and security guards hired by the airport authority used bulldozers, steam shovels, cranes, water cannons, and armored trucks to drive the landowners and their supporters off the plots (slated for the first runway) whose owners had refused to be dislodged. (This first runway was the portion of the airport ready to be opened at the end of March 1978.) In the course of the fighting, three policemen died and scores of protesters were severely wounded. One young farmer killed himself in protest. His suicide note read, in part: "I wonder why people who want to live as humanly as possible are treated inhumanly. Truly, how frightening state power is that picks up and beats down the lives of peasants."

After the 1971 violence, the airport authority promised not to confiscate any more land. But 20 landowners holding plots in the remaining two planned but unconstructed runways are now refusing to sell. The *Los Angeles Times* reports that this "promise . . . appears likely to be broken, causing still more trouble."

In 1966, no one anticipated that the several hundred local landowners would balk at the government's plans for development of the area. But in the difficult years after World War II, many of these farmers had at great personal sacrifice learned how to scratch a living from some of the worst soil in Japan. The passion seen in their protests was born of this effort to stamp their own personalities on that land. These farmers would not be moved. They adopted as their slogan: "In the name of the Japanese peasants, we reject land confiscation," and they made friends wherever they could find them on the political spectrum. Their more radical allies helped direct public attention to the beneficiaries of the land confiscation: airlines, construction firms, and airport concessionaires. The radicals also stressed the likelihood of future military use of the airport. And the farmers of Sanrizuka made further alliances with neighboring farming communities which were forced by the construction of the airport to face damages from air and noise pollution.

In reporting the March 26 attack on the airport control tower, the *New York Times* noted that "opponents of the Narita airport say there is no room for negotiation short of demolition and returning the lands to their . . . owners." Such restoration of the land to the farmers from whom it was taken would end a longstanding conflict and right a genuine grievance.

Land confiscations like those for the Narita airport happen every day in the United States without attracting notice, when the law of eminent domain is invoked as hospitals are expanded or freeways are built. Only rarely, as in the case of the Narita airport protest, is eminent domain dramatically revealed as an instrument which brutally uproots people from their homes and lands. ❑

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THOMAS SZASZ

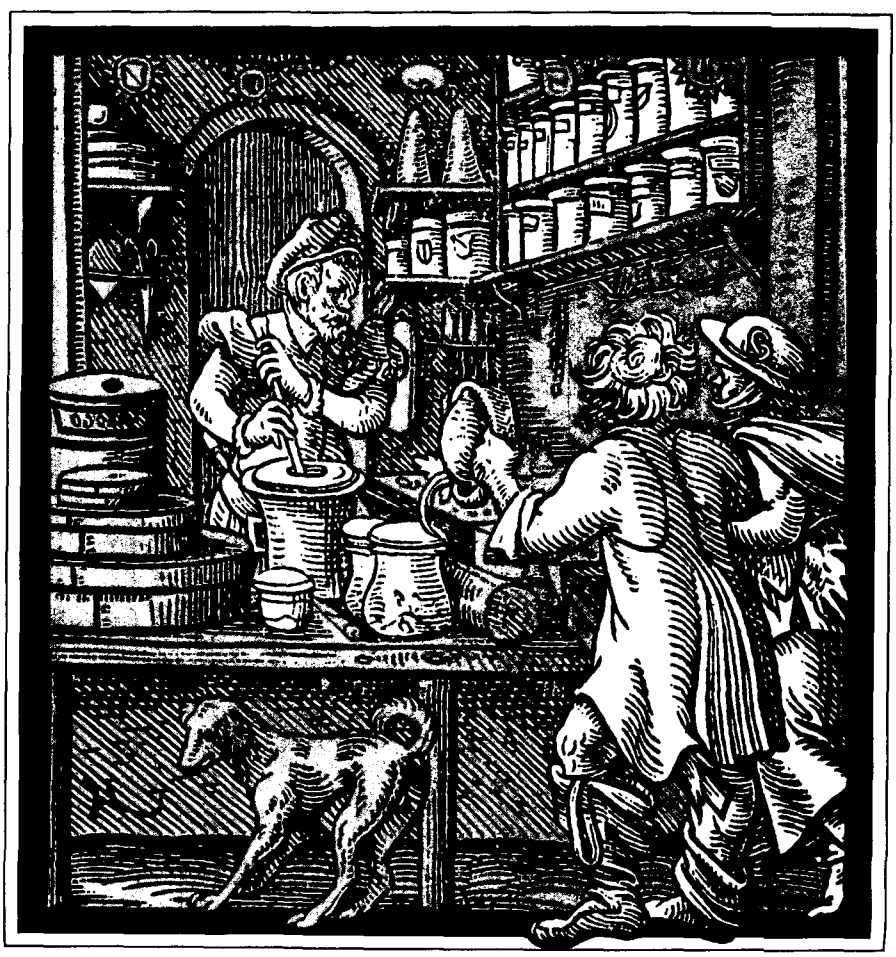
Prescription for control

"THE PATIENT HAS NO rights." That phrase sounds like a quotation from one of my jeremiads against the Therapeutic State, but it is not. It is a quotation from a county medical society newsletter. The precise context in which it appears is important.

On April 1, 1978, a new law became effective in New York State, requiring a physician to indicate on his prescription blanks whether or not the pharmacist may substitute a generic drug for the proprietary, or brand name, drug he has prescribed. I have before me a copy of the Onondaga County Medical Society's *President's Newsletter*, which explains this law to physicians and offers a model prescription form for their use. At the bottom of the prescription form are two entries, reading: "Dispense as written" and "Substitution permissible." According to the new law, prescription forms without these two "signature lines" cannot be honored by pharmacists. To make the prescription valid, the physician must sign above one or another of these "orders" to the pharmacist. Unless the physician orders the pharmacist to "Dispense as written," the law requires that the prescription be filled generically. In fact, at the bottom of the blank, the model prescription form carries this legend, stipulated by the new law: "This prescription will be filled generically unless the physician signs on the line stating 'Dispense as written.' " If the physician indicates that a substitution is permissible, then, according to the law, the pharmacist must provide a less expensive drug product than the one prescribed.

The New York State "drug substitution law" is not the first of its kind in the nation. On the contrary, its enactment probably heralds the dawn of a new age and style of drug dispensing in America. Thus, on March 16, 1978, according to an Associated Press report, "The Carter administration proposed overhauling prescription drug laws to encourage the sale of less expensive generic drugs. [This] would make it easier for physicians to prescribe generic drugs regardless of brand names." Remaining silent about whether the proposed legal changes would make life easier or more difficult for the patient, the report emphasized that "many states now require pharmacists to substitute the cheapest generic drug available unless the physician insists on a specific brand name."

So much for the relevant facts. What are the motives behind this law? What will be its actual consequences? Ostensibly, the principal motive behind the law is to allow and encourage the patient to save money. How? By giving him access to the less expensive generic equivalents of proprietary preparations. Such generic equivalents are, as a rule, just as good as the proprietary preparations whose trade names are protected by copyright. Depending on the drug, such substitution can reduce the cost of a prescription by as much as several hundred percent. It must be noted, however, that there is considerable controversy among clinicians and pharmacologists about whether all generic preparations are as effective as their brand name equivalents. Although generics have the same chemically active ingredients as their equivalent proprietary products, the inert substances used to bind or otherwise prepare the ingredients may differ. Thus, one preparation may dissolve more quickly in water or stomach juices than another. The point is that however slight the demonstrable differences between proprietary and generic preparations might be, such differences do exist. Moreover, name brands inspire confidence in many people, a psychological fact of no trifling importance in the healing arts. I emphasize these



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seemingly elementary facts and considerations because the new New York State "drug substitution law" rides roughshod over them.

The existence of a two-tier system of pharmaceutical preparations—comprising brand name and generic drugs—has been with us for a long time. It betokens, for good or ill, our commitment to competition and a free market (however much "regulated") in pharmaceuticals, as opposed to a single, government-run monopoly. For example, every time a person walks into a drugstore to buy aspirin, he must choose between Bayer (or some other brand name) and a less expensive generic aspirin (distributed over the labels of various drug chains). People now have such a choice in a wide variety of over-the-counter products.

With prescription drugs, the situation is different. As a rule, such drugs are dispensed either as ordered by the physician or as determined by the pharmacist. For example, if a physician writes a prescription for "Achromycin" (Lederle brand tetracycline, a broad-spectrum antibiotic), then that is what the pharmacist must give the patient unless he obtains the physician's permission to substitute another manufacturer's product. On the other hand, if the physician writes a prescription for "tetracycline," then the pharmacist can choose—depending on which brand he has in stock and on the cost to him of the various products—whether to dispense a proprietary or generic tetracycline. Until now, the customer—assuming that he was knowledgable and wanted to exercise a choice—could choose to buy tetracycline carrying the Bristol or Lederle or Parke-Davis label rather than the Rexall label.

The ostensible purpose of the new New York law is to save the patient money by making generic drugs freely available to him. However, if that were the law's true purpose, it would give the choice between brand name and generic drug *to the patient*; actually, the law deprives the patient of just that choice. (And whether it will save him money at all remains to be seen.)

ANTICIPATING QUESTIONS about the interpretation of the new "drug substitution law," the *Newsletter* includes a two-page legal interpretation of it, cast in a question and answer format. Significantly, only two of the 11 questions and answers deal with the law's effect on patients. They deserve to be quoted in full:

Q: What does a pharmacist do when the patient insists upon a brand name when the physician writes "substitution permissible"?
A: The patient has no rights.
Q: If a patient prefers to pay for a brand name, does he have this option?
A: No. The patient has no rights.

This is a wonderfully revealing example of the language of medical totalitarianism, in both its covert and overt forms. The phrase "substitution permissible" evidently means "substitution required." The phrase, "The patient has no rights" means just what it says.

Assuming that the interpretation given in the *Newsletter* is correct, patients in New York State will be deprived of a certain choice they previously possessed. (That few persons exercised their right to choose does not alter the significance of its abolition. If the freedom to exercise that right was an insignificant issue, why should the new law deliberately abolish it?) In the final analysis, our politicians—and the people who elect them — must decide whether to permit or prohibit competition within the drug industry: in the former case, pharmaceutical manufacturers must be allowed to appeal to the brand names of drugs and the good names of their companies; in the latter case, the manufacture and sale of drugs must be turned into a government monopoly, with pharmacies becoming chemical post offices.

Furthermore, if politicians believe that there is something inherently evil in brand names, why do they pick on brand name drugs? In free societies, people buy countless supposedly identical products on the basis of brand names. That is how we buy appliances and automobiles, furniture, and frozen foods. Such freedom in the marketplace is considered to be an integral part of what we mean by individual liberty. Hence, it is important—both practically and symbolically—what happens when, allegedly to protect the citizen's pocketbook, the state legislates a choice between brand name and generic prescription drugs. The question is, is the result more or less freedom for the individual?

Nearly a half a century ago, Ortega y Gasset correctly diagnosed our malady as precisely that statism which we now embrace as therapy. "Society, that it may live better," he wrote in *The Revolt of the Masses,* "creates the State as an instrument. Then the State gets the upper hand and society has to begin to live for the State. . . . This is what State intervention leads to: the people are converted into fuel to feed the mere machine which is the State." When, as now, the state is therapeutic, it is only to be expected that the physician should be simultaneously executioner and victim: he supports and implements the disfranchisement of the patient, in the name of health and treatment, while he himself is disfranchised, in the name of economy and equality.

The attack by politicians on brand name drugs is part of our statist malady, which Ortega diagnosed years ago.

IS THERE A WAY TO STOP these self-mutilations of our liberties that we seem so glad to suffer in exchange for the promise of perfect therapeutic paternalism and egalitarianism? There is indeed. In fact, the area of prescription drugs is the one which today offers perhaps the best case for the abolition of government controls and the restoration of the free market.

Prescription drugs could—and should—be available in the same way as over-the-counter drugs are available. As a result, the physician's prescription would be restored to its rightful role: a recommendation to the patient about what drug he should take and how he should take it, rather than permission to purchase an otherwise legally prohibited and medically mystified product. In such a free pharmaceutical market, the patient would have the combined benefits of medical advice, of an economically competitive pharmaceutical industry, and of his own legally unfettered choice in the selection of the drug he buys and takes. ❑

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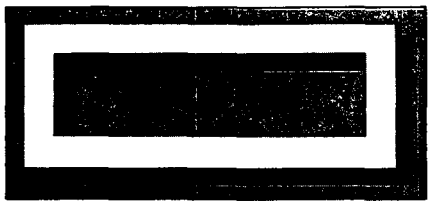

BARTON J. BERNSTEIN

Who owns history?

WHO OWNS, AND WHO should have access to, the official papers of Henry Kissinger? These were the basic issues confronting the U.S. District Court for the District of Columbia recently when several groups representing reporters and scholars sued to prevent Kissinger from locking up the only copies of 33,000 pages of transcripts and summaries of phone calls he made during his Nixon years. Upon leaving office, Kissinger had taken the papers from the State Department and deeded them to the Library of Congress, closing them for 25 years to all but himself and the researchers he designated. In doing so he had tried to secrete a substantial part of the historical record, to assure that only he and friendly interpreters would have access to this portion of our history.

On December 8 the court held that the records were indeed official papers (not "personal working papers," as Kissinger claimed), that they were owned by the federal government, that Kissinger had "wrongfully removed" them, and that he could not determine the rules of access. The papers, said the court, are the property of the State Department, subject to its rules for access and to the Freedom of Information Act. Thus, unless Kissinger wins a reversal in a higher court, the judge has successfully blocked the arrogant ex-secretary of State from treating his official papers as essentially private property.

For a number of reasons, the question of who has access to the papers of ex-government officials is a matter of great importance. The House Subcommittee on Government Information and Individual Rights is now considering legislation that would declare all materials created in connection with public business by the President and his aides, or by cabinet members and other executive officials, to be government, not personal, property. However, there is a "catch." Under the proposed legislation, the President—and apparently his agents—will still have privileged access to the papers while they are generally kept closed to others. In fact, according to one version of the bill now under consideration, such materials will be inaccessible for 15 years. Furthermore, it is not clear whether during that period the papers will even be subject to requests under the Freedom of Information Act.

Presidents have been even more cavalier. Hoover took his White House papers and closed them for more than three decades to all but a few fawning scholars.

The issue is still being debated in the subcommittee, and unless the committee decides that the Freedom of Information Act should apply, the new legislation will create roughly the same situation that Kissinger sought to achieve in his agreement with the Library of Congress. Government ownership of the records would allow a former official to close his papers to all but a favored few, who could then promote their own interpretation of his past—and, not incidentally, reap the financial rewards of this valuable monopoly. Meanwhile, those who might place a less favorable interpretation on some of the official's actions would be barred from examining the material.

This strategy for supplementing fortunes and generating "court" history has long been followed by prominent government leaders, especially Presidents and secretaries of State. Until Watergate and the "Nixon tapes" case alerted the citizenry, the documents created by high-ranking officials in government were generally treated as the officials' own property. When an official retired from the government, the materials would be used to write profitable memoirs, made available to favored historians, and then carefully culled before they were donated (with a handsome tax write-off until 1969) to a library.

*FOR EXAMPLE, WHEN SEC-*retary of State Edward Stettinius left office, he had a moving van cart off basic documents; in some cases, they were the only copies of vitally needed materials. Secretary of State Dean Acheson took copies of about 15,000 official documents and later deceived Truman by telling the President he had removed "only my personal papers." W. Averell Harriman, a member of many administrations, bought a house in Washington to store the thousands of official documents he removed, which he has made available to "court" historians to counter revisionism.

Presidents have been even more cavalier. Herbert Hoover took his White House papers, closed them for more than three decades to all but a few fawning scholars, and finally gave them to the National Archives system. Upon leaving office, Harry Truman promptly donated most of his papers to the Archives system with the provision that they would be placed in a special library, located in the Midwest. For almost two decades, Truman retained the approximately 50,000 documents (many of them on foreign policy and national security) that he deemed most valuable to an understanding of his administration. He used them for his memoirs, barred State Department access to them, probably destroyed some items, and bequeathed the rest to the Truman Library upon his death.

Truman also contrived to keep most prying congressional committees out of Roosevelt's official papers for at least a few years after the President's unexpected death. Even though Roosevelt had willed the papers to the govern-

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ment, there were legal questions about ownership, and Truman preferred to have the papers treated as privately owned materials. That way, he could shrewdly control access to the papers, while legal power remained with the executors and Truman could escape responsibility for barring congressional access. One White House assistant noted, "The President wants the procedure . . . to appear to be a policy set by the executors, not by him." In line with this strategy, Truman also deceived Congress by denying that some of FDR's papers were still in the White House, where the new President might have had more difficulty keeping Congress from using them. And when the executors sought to provide a congressional committee with documents on oil, a White House aide instructed the director of the Roosevelt Library to cut back the number of papers submitted.

Truman, Eisenhower, and Johnson reaped lush contracts by producing memoirs from their presidential papers. They were also able to exploit their virtual monopoly of these sources in order to shape the assessments of their administrations. However, it was the Kennedy entourage, partly because of JFK's early death and their own literary skills, who raised these techniques to a new art form. In the mid-1960s, such memoirist-historians as Arthur Schlesinger, Jr., Theodore Sorensen, and Roger Hilsman used in their books then secret documents that remained unavailable to independent analysts. Many of the items, despite repeated appeals by independent scholars, are still classified. The most notable case of exploiting closed materials may be Robert Kennedy's use in *Thirteen Days* of substantial quotations from the then secret Kennedy-Khrushchev missile crisis correspondence (the former attorney general also misdated some of the telegrams and deleted some segments of the correspondence, possibly to polish the reputation of his brother's administration).

As critical-minded readers should suspect, there sometimes is a partisan-political dimension to the declassification and opening of materials. The rules are loose enough to accommodate massive discretion, so partisan commitments can easily determine the interpretation of a rule in a particular case. What must remain closed for reasons of "national security" on one day may be opened the next day without impairing "security," should partisan concerns dictate a new decision. The Kennedy-Khrushchev missile crisis documents, for example, were declassified in the early 1970s, shortly after requests for them had been rejected. Why the reversal? According to insiders, Nixon (and possibly Kissinger) thought these documents would impugn the Democratic past and help tarnish the Kennedy legend.

To put it bluntly, the power to control documents can shape both scholarly and journalistic interpretations, and thus, public understanding.

Recently, Brzezinski and the National Security Council, with the Canal Treaty pending, have been more willing to open favorable materials on Panama than to respond to legal requests for documents on other areas from earlier periods. The result, conveniently, is that many key items on the early Cold War stay classified while the plans of Ike or LBJ on Panama are declassified. Under Executive Order 11652, the National Security Council and other federal agencies are expected to act within 60 days on requests for declassification, and then within 30 days on appeals. Often, however, the NSC simply does not reply to requests, or to appeals, or to inquiries about appeals, and hence passes the buck to another committee, which, the evidence suggests, is often too timid to declassify the documents.

Why is the NSC a bottleneck? Under Ford, the bureaucratic excuse was that the person at the NSC in charge of such matters did not like the Executive Order and therefore seldom bothered to answer requests and appeals. The new excuse, communicated informally through trusting members of the Washington grapevine, is that the NSC is understaffed; Carter, in order to make good on his campaign promises to cut back the executive staff, reduced the NSC. That explanation, if correct, overlooks a salient fact: the NSC still seems to be able to deal generously with requests for materials whose release may help the administration achieve its policy goals. Consider, for example, the release of materials on Panama from the Ike and LBJ years. To put it bluntly, the power to control official documents can shape both scholarly and journalistic interpretations, and thus, public understanding.

THE ELABORATE SYSTEM OF secrecy, implemented at various levels, often denies citizens the information they need for informed judgment. For example, the government kept classified for almost 30 years documents of 1948–1949 establishing the "dirty tricks" operation of the CIA. Who was deceived? Not Patrice Lumumba, Fidel Castro, Josef Stalin, Mao Tse-tung, or Ho Chi Minh. The American people, and many of their congressmen, were the primary targets of this concealment. The government also kept classified for 25 years NSC Document 68, the famous blueprint for rearming the West and winning the Cold War that Acheson and Paul Nitze shaped in 1950. A low-level bureaucrat declassified it in 1975, much to the distress of Kissinger who, according to insiders, feared that its bellicose anti-Soviet rhetoric would endanger détente. Kissinger, according to government sources, wanted to reclassify the paper but was dissuaded when others pointed out that too many copies were already in circulation.

Or consider the fact that J. Edgar Hoover sent frequent messages to Presidents since about 1940, and that some of this material came from illegal electronic surveillance and even contained partisan political intelligence. The secret reports for the period of 1940–1945 were retired to the Roosevelt Library after World War II, and kept closed until 1971. At the Truman Library, similar FBI reports were opened in 1975, soon after they were donated by Truman. Why were these documents opened first in 1971 and then in 1975, after other FBI reports had been closed for a quarter century? The FBI was no

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longer sacrosanct, and Hoover was no longer in favor.

Some cynics, though lacking proof, have gone further in explaining the turnaround. They have charged that the Nixon administration wanted the FDR documents opened because they might embarrass the Democrats and weaken Hoover, who was resisting some of Nixon's programs. And cynics have also claimed that the Ford administration wanted the Truman-period documents opened because they helped establish that the pattern of domestic "dirty tricks" did not start with Nixon, that earlier Democratic Presidents had benefited from illegal FBI activities and even sponsored some of them.

Contrary to the cynics, it is unlikely that the top archivists, even though they are political appointees, would have yielded to direct White House pressures for such partisan motives. But the bald charges of the cynics can be modified and phrased more subtly in this question: Would the FBI reports have been opened if the Nixon and Ford administrations had strongly opposed such action? Political appointees, even in the higher Civil Service grades, do not openly oppose the wishes of the White House unless they are planning on a speedy retirement or have their own powerful countervailing constituency. Archivists do not have that constituency.

The Department of Defense is now sitting on about nine classified volumes (in manuscript form) on the Soviet-American arms race since 1945. These studies were commissioned by James Schlesinger when, as secretary of Defense, he hoped to torpedo the SALT negotiations by proving the systematic perfidy of the Soviets for the preceding 30 years and their overwhelming responsibility for escalating the arms race. Some of the scholars who authored these studies claim they came to the opposite conclusion (primary American responsibility for escalation), and that possibly explains why this expensive project was quietly shelved. The department of Defense has kept all but one of the volumes classified and even in response to direct inquiry usually contrives to avoid acknowledging their existence. One wonders whether Secretary Harold Brown, if he learns that these volumes are in the historian's office, will release them (or at least large portions of them) to help the administration in its battles for SALT and against the Committee on the Present Danger. ❑

DAVID WISE

CIA journalists: the loophole game

LAST DECEMBER, ON THE eve of the House Intelligence Committee's hearings on the Central Intelligence Agency's ties to the press, CIA director Admiral Stansfield Turner announced new regulations that, on their face, appeared to end the government's use of reporters as spies.

Turner issued the new directive not long after the publication by *Rolling Stone* of Carl Bernstein's article claiming that "more than 400 American journalists . . . have secretly carried out assignments for the Central Intelligence Agency." The directive also came only a few weeks before the *New York Times* published a three-part series on the CIA's infiltration of the press. The CIA knew the series was coming, of course, since it had been months in preparation. At the same time, the agency was gearing up for the hearings that began later in December before the House Intelligence Subcommittee headed by Representative Les Aspin, the Wisconsin Democrat.

The CIA's new regulations were designed, therefore, to reassure the public that the agency's use of reporters was an old story, unworthy of press or congressional interest. It's over; we can all relax. Or can we?

The CIA directive, dated November 30, in fact contains a loophole that the agency has fought tenaciously to preserve: the prohibition does not apply to the literally thousands of unaffiliated American journalists and free-lance writers in the United States and abroad. Nor does it prevent CIA agents from claiming they are independent writers or journalists.

In order to understand the latest CIA move in the continuing chess game over the clandestine use of journalists, it is necessary to go back to November 1973, when William E. Colby, then head of the agency, lunched with a group of editors at the Washington *Star*. Colby volunteered that the CIA was indeed using the press for cover, but he said he was curtailing the practice. The *Star*, in a page-one story by Oswald Johnston, reported that the CIA had "some three dozen American journalists" working abroad as spies.

The story failed to alarm either the press or Congress, a fact that must have surprised and pleased the CIA. Indeed, the issue did not crystallize until the Church committee in the Senate and the Pike committee in the House began investigating intelligence abuses after the *Times*'s Seymour Hersh, in December 1974, revealed the CIA's program of domestic spying.

The Pike report was published in the *Village Voice* in February 1976, thanks to Daniel Schorr, after the House of Representatives had voted to suppress it. According to the report, in 1975 the CIA still had 11 full-time officers posing as journalists; until 1973, five such agents had represented major American news organizations. In addition, the report said, numerous "stringers and free-lancers are still on the payroll."

On February 11, 1976, five days before the Pike report was published, CIA director George Bush promulgated a new policy toward the press: the CIA would no longer pay any "full-time or part-time news correspondent accredited by any U.S. news service, newspaper, periodical, radio or television network or station."* (The statement was somewhat confusing, perhaps deliberately so, in its use of the words "accredited by." In normal newspaper parlance, reporters are not "accredited by" their employer, but are "accredited to" some official agency that issues a press credential—whether it be the White House, Congress, the State Department, a local police force, or the foreign ministry of another government in the

DAVID WISE writes frequently on intelligence activities and related subjects. His most recent book is The American Police State.

**Not long after Bush issued his new policy I asked the CIA whether the prohibition applied as equally to intelligence officers working under journalistic cover as to reporters working for the CIA. It seemed possible that the agency might seek to make some conceptual or semantic distinction between the two sides of the same tarnished coin. I was told the policy applied both to journalists working for the CIA and to CIA officers working as journalists.*

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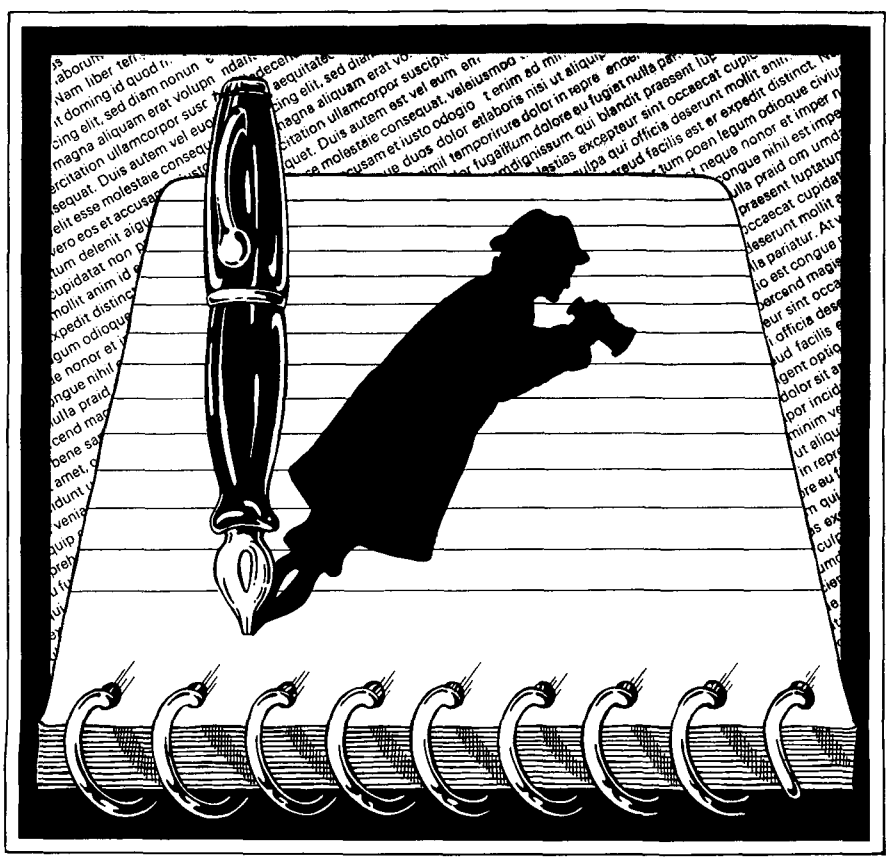
case of a correspondent working abroad. It seemed an odd usage for an agency with unlimited resources and presumably unlimited access to information. Any one of the CIA's reporter spies could have explained the correct terminology to headquarters.)

In June, in a little-noticed speech to the Cleveland City Club, Bush discussed his February policy statement. "I had thought that this statement would be more than clear," he said, "but the media has continued to wonder whether there were some loopholes left." And well the press might have wondered. The dimension of the loopholes was made clear in the final report of the Church committee: "Of the approximately 50 U.S. journalists or personnel of U.S. media organizations who were employed by the CIA or maintained some other covert relationship with the CIA at the time of the [Bush] announcement, *fewer than one-half will be terminated under the new CIA guidelines.*" (Emphasis added.) The reason: the prohibition "does not cover 'unaccredited' Americans serving in U.S. media organizations," such as executives "or free-lance writers."

One might be tempted to dismiss free-lance—i.e., unaffiliated—independent writers as providing a relatively insignificant part of the total news flow to the American public. True enough. But they are not insignificant to the CIA; far from it. The CIA refused to provide any names to the Church committee, which had to be content with reviewing sanitized "summaries" of the files of the CIA's reporter-spies. Even so, the committee discovered that of four categories of journalists who worked for the CIA, the largest category included "free-lance journalists," "stringers," and something called "itinerant authors."

Although the Church committee had thus unmasked the duplicitous nature of the CIA's policy statement of February 1976 and had pinpointed its worst loopholes, in the controversy that followed the press and public preferred to play a guessing game about which network correspondents or *New York Times* reporters might have been CIA agents in the past—ignoring the current problem of unaffiliated writers who work for the CIA today. But the CIA was not ignoring the question at all. In a world of shrinking cover, the agency has battled fiercely to hold on to its power to plant agents in the guise of free-lance writers. So far, at least, it has won.

WHILE CONTINUING TO use free-lance journalists, the CIA has tried to have it both ways by pretending it does not. The day before Bush pooh-poohed the talk of loopholes in his Cleveland speech, he met for three hours with the National News Council and apparently assured its members that the ban on the CIA's use of journalists included "free-lance writers." At least the council announced that it had received that assurance from Bush, according to the Associated Press.



TOM WILSON

Last spring, in a series of conversations with CIA officials, I attempted to find out whether the CIA's policy still permitted the use of free-lance writers as spies, given the contradictory reports on the subject. One CIA official told me that despite Bush's reported assurances to the news council, free-lancers could still be used for espionage. Another CIA official claimed the policy was not clear. "There's a new administration at CIA," he said. "The admiral must be consulted. He is reexamining everything." The problem, the official said, was that the CIA was having trouble defining free-lance writers. "Take the case of Mrs. Schmidt in Nuremberg. She works for Intelligence, but we discover she contributes a garden column once a week to a paper in Iowa. How are we supposed to know that?"

The agency used the same "Mrs. Schmidt in Nuremberg" gambit in a lengthy exchange of letters with the Washington Independent Writers, a group of mostly unaffiliated writers that I helped to found a few years ago. In June 1976, the group passed a resolution, which was sent to the CIA, protesting the use of journalists as spies and demanding that the agency end "its use of independent writers or journalists for intelligence purposes."

In reply, Andrew T. Falkiewicz, Bush's assistant, noted that "we recently had occasion to discuss this matter with representatives of the National News Council. I refer you to a press report of that meeting (attached). . ." Enclosed was a nearly illegible Xerox of the wire copy of the AP story, which quoted the soothing assurances the council executives said they had received from George Bush. (I am half pursuaded that the CIA must have a Directorate of Illegibility, in which documents are repeatedly re-Xeroxed by banks of agents resembling Wil Huygen's gnomes, whose task it is to ensure that the letters are broken down until they are almost indecipherable. There is no other possible explanation of why so many documents released by the CIA under the Freedom of Information Act, or otherwise, cannot be read.)

In April of last year, Barbara Raskin,

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then president of the writers organization, wrote to Admiral Turner, Bush's successor. "Since a wire service story reporting second-hand what may have been said to a private group cannot, of course, be considered a statement of official policy by the United States government or one of its agencies," she noted, "we would appreciate a direct statement from you as to whether the CIA's current policy is, or is not, to use independent writers in its intelligence activities and operations."

Back came a letter from Herbert E. Hetu, Turner's press spokesman, who had clearly been talking to Mrs. Schmidt in Nuremberg. Hetu said: "We are hindered in our desire to respond to your request. . . on the matter of 'freelance writers' by lack of an official or agreed upon definition of that term and would very much appreciate your giving us a definition to which we might respond. For example, does the fact that an individual might write one or two articles, perhaps quite incidental to his normal profession, make him a 'freelancer'? A professional person, a lawyer, for example, might write on gardening, food, travel, etc. . . . I hope you can see our problem, and I believe your response will help."

The writers group declined to take the bait. It politely informed the CIA that it did not wish to engage in a semantic exercise with the agency. The matter, Mrs. Raskin suggested, was really very simple; what the group wanted was for the CIA to include independent writers in its ban on the use of journalists for intelligence purposes. Then she proceeded to the heart of the matter: ". . . though it may be difficult to define 'freelance writer' it is not difficult for the agency to identify its operatives." All the group asked, she wrote, was that CIA agents not say they are free-lance writers. Mrs. Raskin's letter was dated June 13, 1977; the CIA has not bothered to reply.

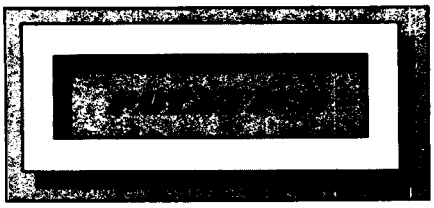
LAST DECEMBER, TURNER issued the CIA's second policy statement on the agency's use of the press. Varying little from the earlier pronouncement by Bush, the new directive did include stringers—but not free-lancers—in the categories of journalists that would not be used for spying. The directive also permitted the CIA's use of media executives with the approval of the "senior management" of a news organization. But it permitted "exceptions" to any of the restrictions on the use of journalists or executives if the director of the CIA ordered that press cover be used after all.

In its hearings on the CIA's use of the press, the Aspin subcommittee did focus on the loophole exempting unaffiliated writers. Ward Just, the novelist and former Washington reporter, testified forcefully on the subject: "There seems to be some sort of theory in the agency that the only Americans abroad suitable for their activities are journalists. They have got airline pilots . . . lawyers . . . businessmen . . . bartenders, gamblers. It isn't that the most suitable cover is somehow journalistic cover. It isn't necessarily true. The agency acts as if somehow they are denied this great resource, the clandestine services are going to collapse, which is nonsense, bloody nonsense."

The issue is not likely to fade away; the Senate Intelligence Committee's proposed reform bill would prohibit the CIA by law from using journalists, editors, or executives of American news organizations. And it would appear to cover some free-lance writers by banning the use of any person who "regularly contributes material" on political or related subjects to any U.S. media organization. Here, however, the committee has fallen into the trap of trying to define free-lance writers; the law would be more effective if it also prohibited any CIA or other intelligence agent from representing himself to be a free-lance writer. Otherwise the less successful the writer, the more he or she would legally be able to act as a spy for the CIA. Such a result would be ludicrous—it conjures up the image of CIA agents soliciting rejection slips to avoid doing a stretch at Lompoc.

Curiously, in the continuing debate over the CIA's use of the press, the constitutional implications have been largely neglected. The right of the press to be let alone, as Brandeis phrased it in another context, is rooted in the First Amendment, a point that has, in the current controversy, often been acknowledged obliquely or not at all. If some journalists or writers are, or have been, CIA agents, all are suspect, and the ability of reporters to gather the news, particularly abroad, is diminished. By using reporters as spies, the CIA has abridged the First Amendment as effectively as any "law."

One wishes the matter were as simple as it is viewed by Ray S. Cline, the former CIA deputy director for intelligence. "You know," he told the Aspin subcommittee, "that First Amendment is only an amendment." ❏



E. SCOTT ROYCE

Reviving HUAC

THREE YEARS AGO, CIVIL libertarians scored a major victory when the U.S. House of Representatives finally abolished its controversial Internal Security Committee (HISC). Known during most of its career as the House Un-American Activities Committee, HISC had long been under attack for undermining the democratic process through its investigations of political groups on the left and right. But those who danced on the committee's grave may have been premature. A group of right-wing congressmen, backed by the editorial voices of the far right and the efforts of direct mail specialist Richard A. Viguerie, have mounted a campaign to resurrect the committee—a campaign that has won the support of more than 170 House members.

Spearheading the pro-HISC drive is Congressman Larry McDonald, a second-term Democrat from northwestern Georgia. Since his election to the House in 1974, McDonald has become one of the leading congressional spokesmen for the ultra right. A member of the National Council of the John Birch Society, McDonald stands in the forefront of legislative battles over arms control, abortion, gay rights, and numerous other issues. One of his more frivolous resolutions last year proposed the impeachment of UN Ambassador and fellow Georgian Andrew Young. McDonald regularly fills the pages of the *Congressional Record* with analyses which purportedly expose the subversive and violent nature of various political groups.

On January 4, 1977, McDonald in-

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troduced House Resolution 48, which would amend the House rules by reestablishing HISC. Under McDonald's resolution, the committee would be authorized "to make investigations from time to time . . . of organizations or groups, whether of foreign or domestic origin, their members, agents, and affiliates, which seek to establish, or assist in the establishment of, a totalitarian dictatorship within the United States or to overthrow or alter . . . the form of government of the United States or of any State . . . by force, violence, treachery, espionage, sabotage, insurrection, or any unlawful means. . . ." To this exceedingly broad delegation of authority, H. Res. 48 adds the power to inquire into activities of groups which "incite or employ acts of force, violence, or any unlawful means" to oppose the "execution of any law or policy affecting the internal security of the United States or advocate the use of terrorism to achieve their objectives. . . ." As an apparent afterthought, the resolution also entitles the committee to review "all other questions, including the administration and execution of any law of the United States, or any portion of law, relating to the foregoing that would aid the Congress or any committee of the House in any necessary remedial legislation."

Herein lies one of the major objections both to the old committee and to McDonald's resolution. HUAC/HISC first appeared on the political scene in 1938 as a temporary investigative body. Under the rules of the House, its mandate had to be renewed every two years. Backed by most Republicans and by anti-New Deal Democrats such as its first chairman, Martin Dies (whose work—like McDonald's more recently—appeared during the 1960s in the Birch Society's slick monthly magazine *American Opinion*), it stayed alive through World War II, an embarrassment to a nation supposedly fighting for global freedom. In 1945, thanks to the efforts of the rabidly right-wing Mississippi Democrat John Rankin (once described by *Time* as the leading Jew-baiter in the House), it finally became a standing committee—and then only by a vote of 146 to 134.

Throughout its career, HUAC had a succession of publicity-seeking chairmen, including Ku Klux Klan apologist John S. Wood (D.-Ga.); J. Parnell Thomas (R.-N.J.) who, like many committee witnesses, later pleaded the Fifth Amendment when charged with conspiracy to defraud the government, was convicted, and ended up in the same federal penitentiary as one of the "Hollywood Ten" HUAC had victimized; and Francis Walter (D.-Pa.), better known as co-sponsor with fellow Red-hunter Senator Patrick McCarran (D.-Nev.) of the reactionary 1953 Immigration Act. The committee produced reams of news stories, but almost nothing in the way of legislation. It spent millions of dollars in public funds and captured headlines nationwide with probes into subjects as diverse as the CIO and the New Deal's Federal Theatre Project, atomic espionage and "Reds" in the movie industry, alleged infiltration of churches and peace groups, the civil rights movement, and education. Of the meager handful of bills that did emerge from the committee, perhaps the most noteworthy was the dubiously constitutional Internal Security Act of 1950. Over the years, however, the courts threw out many of that law's most objectionable sections; and in 1973 the administration of Richard Nixon, himself a graduate of HUAC's school for scandal, abolished the moribund Subversive Activities Control Board, which had been created by the act. One of the committee's few other legislative accomplishments was a law supposedly revitalizing SACB.

*OVER THE YEARS, THE COM-*mittee's authority was frequently challenged by witnesses who noted its lack of legislative purpose and protested its right to interrogate individuals about their political opinions and associations. In a 1976 article in the *Harvard Civil Rights–Civil Liberties Law Review*, Hans Zeisel and Rose Stamler noted that of roughly 100 criminal contempt indictments resulting from such confrontations, fewer than ten were ultimately upheld as valid. Yet the committee's chosen course of exposure-for-exposure's-sake ruined careers and damaged countless reputations. As Representative John Conyers (D.-Mich.) remarked last year, HUAC "pioneered the whole spectrum of slogans, techniques, and political demagoguery that would later be called McCarthyism."

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Nor did the committee show real signs of improvement as time passed, even after its name was changed in 1969. HUAC, Representative Robert F. Drinan noted in a 1971 report, lived on "unchanged. . . . The Internal Security Committee of 1971 . . . is in fact substantially identical to the HUAC of 1949, 1950, and 1951. In no respect is it any less dangerous or wasteful today than it was 20 years ago."

Another objection to the old committee was the invasion of privacy and the potential for abuse inherent in its accumulation of files—many of them unevaluated and unsubstantiated—on hundreds of thousands of Americans. Committee files were fed both by its own investigations and by those of amateur Red-hunters on the far right. When HISC was abolished in 1975, jurisdiction over its research material was transferred to the House Judiciary Committee. Noting this, McDonald's resolution would restore "all property and records" currently held by Judiciary "or under the control of any other agency of Government" to HISC.

Proponents of reviving the committee contend that when HISC was abolished, they were assured that the Judiciary Committee would keep close watch on terrorists and other alleged subversives. However, McDonald charged in a March 1977 speech that Judiciary had held "no hearings on the threats to our internal security from domestic or international terrorist organizations" in the intervening period.

In reply, Judiciary Committee Chairman Peter Rodino (D.-N.J.) pointed out how authority over such topics had been allocated. The Subcommittee on Criminal Justice, he explained, has jurisdiction over "matters which deal with the question of terrorism," while Courts, Civil Liberties, and the Administration of Justice handles wiretapping and intelligence. Other questions previously dealt with by HISC, he added, are supervised by the subcommittees on Crime and on Civil and Constitutional Rights. If they had failed to act on legislation, Rodino concluded, that was "something that I believe lies within the expertise and discretion of those subcommittees."

The investigation of terrorism and related matters is clearly better left in the hands of law enforcement officials and other experts. Their record on civil liberties questions is scarcely outstanding, but given HISC/HUAC's past record, the administrative approach seems more likely to guarantee due process. As the Justice Department once observed in condemning HUAC meddling in the atomic espionage controversy, "The Department prosecutes crime by the grand jury system through our courts and not by politically-minded congressional committees with one eye on publicity and the other on election results . . ."

*HOWEVER, SUCH OBJEC-*tives have not deterred right wingers. Led by John Ashbrook, an Ohio Republican best remembered for his remarkably unsuccessful primary challenges to President Nixon in 1972, they have tried each year since 1976 to mandate that a certain amount of the Judiciary Committee budget be allocated to its internal security functions. Despite the pleas of Ashbrook, formerly the ranking minority member on HISC, these attempts have failed.

The passage of H. Res. 48 will only serve to reestablish the old HUAC and reopen the era of political witch hunts.

Changing tactics after their 1977 defeat, the conservatives began instead to promote McDonald's House Resolution 48. The June 3, 1977 issue of *The Right Report*, a newsletter published by Richard Viguerie, revealed their strategy: to generate citizen demands for action. This campaign was to be directed at the Committee on Rules, to which the resolution had been referred and which had studiously ignored it. Press coverage of radical and terrorist activity would be exploited to help stir up the necessary constituent input.

The July 4 number of the *Pink Sheet on the Left*, edited by Phillip Abbott Luce, a former New Leftist turned conservative, devoted its lead story to the resolution. Readers were urged to deluge Rules Committee Chairman James Delaney with demands for action. Others picked up the cry as well. The November 12 *Human Events*, a Washington-based conservative weekly, ran an article on the subject by anti-ERA crusader Phyllis Schlafly; McDonald staffer Herbert Romerstein, formerly with HISC, wrote an article on international terrorism in the November 25 *National Review* which closed with a plug for his boss's legislation. The resolution was also promoted in recent issues of *Battle Line*, the newsletter of the American Conservative Union, and in Viguerie's *Conservative Digest*. It has also been endorsed by the national Board of Policy of the far right-wing Liberty Lobby.

As a result of such publicity and of work by McDonald and Ashbrook, H. Res. 48 now has 173 co-sponsors in the House. In an interview late last year, Romerstein was optimistic about the resolution's chances. There was "no question," he stated, that it would carry if reported out of Rules, adding that he hoped the growing number of letters to the committee would bring about this result. Nor is such an assessment of the resolution's chances completely unrealistic. Ashbrook's motions to instruct Judiciary to investigate internal security matters, Romerstein observed, lost in large part because some pro-HISC members were reluctant to pin down a committee chairman on allocation of requested funds. It is also worth noting that when an attempt was made to abolish HISC during debate on committee structure reform legislation in 1974, the motion failed by a margin of 164 to 246. Romerstein estimated that McDonald could draw nearly as many votes, 245, if every member were present. Even if H. Res. 48 does not escape the clutches of the Rules Committee, the present publicity build-up on the right will give it a boost when the rules for the new House are debated in January 1979.

The power of Congress to investigate is crucial to its ability to legislate. That power was first asserted as long ago as 1792, when the House created a select committee to investigate why a military expedition against the Indians had been routed. By and large, it has been exercised responsibly since. However, the investigatory power of HUAC/HISC was abused time and time again during its lifetime. Its inquiries into the political opinions and connections of thousands of Americans posed a serious threat to basic freedoms. There is no evidence whatever to indicate that this will change if McDonald, Ashbrook, and their colleagues manage to recreate HISC. Passage of H. Res. 48 will only serve to reestablish the old HUAC and reopen the era of witch-hunting political inquiries.

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A European nation is struggling to be reborn. Some of the results are already evident.

NEW DAY FOR CATALONIA

By DAVID H. ROSENTHAL

FOR CATALANS OF VIRTUALLY EVERY social class and political persuasion, the last year has been a time of euphoric reawakening. First came the Spanish parliamentary elections, in which the parties favoring Catalan autonomy triumphed in Catalonia with more than 90 percent of the vote. Then, on September 11, more than a million Catalans poured through the streets of Barcelona singing their national anthem, "*El cant dels segadors*" ("The Harvesters' Song"), and chanting "*Volem l'estatut!*" ("We want the statute of autonomy!"). As the marchers made their way up the tree-lined Passeig de Gràcia, a group including members of parliament and representatives of Josep Tarradellas, President of the Catalan government in exile (the *Generalitat*), was negotiating with Prime Minister Adolfo Suárez in Madrid.

The result of this political tidal wave was a royal decree reinstating the *Generalitat* and establishing Catalan and Castilian (normally known as "Spanish" in the United States) as the co-official languages of Catalonia. The new state of affairs was climaxed by Tarradellas's triumphant return to Barcelona on October 23. The next day he officially reopened the old *Generalitat* building in Barcelona's handsome Gothic Quarter. Standing before a crowd of his cheering countrymen, many of them waving the Catalan flag with its four red bars, Tarradellas announced that this time he was back for good. Though most of the details of autonomy remained to be worked out, it was evident the Catalans had taken a giant step toward self-government.

Such a step would, of course, be a major political event, not just for Catalonia and Spain but for the rest of the world. There are today seven million Catalan speakers and the area they inhabit is the largest industrial concentration on the Mediterranean. Yet despite the significance of the region, it remains largely unknown to most Americans. Therefore, some background information will be useful.

BASICALLY, CATALONIA IS DEFINED by its language. Spain has four major languages—Basque, Castilian, Galician, and Catalan, which is a Romance tongue similar to Occitan (a language also sometimes called "provençal" or *langue d'oc*). Catalan is spoken in the provinces of Barcelona, Girona, Lleida, Tarragona, the Balearic Islands, Alacant, Castelló, and Valencia. (Outside of Spain, it is the official tongue of Andorra and is spoken in a small strip of Southern France that includes Perpinyà [Perpignan] and Prades, and in the Sardinian town of l'Alguer.) The historical heartland of the Catalan nation is the "Principality"—that is, the four provinces of Barcelona, Girona, Lleida, and Tarragona. The second major Catalan-speaking area is "the Valencian Land": Alacant, Castelló, and Valencia. The third is the Balearic Islands: Majorca, Minorca, Iviza, and Formentera. Together, these areas form "the Catalan Lands."

This common language is one of the chief expressions of Catalonia's national identity. Some of Europe's most outstanding literature, both in medieval and Renaissance times and during the past century, was written in Catalan. Indeed, a case could be made for Catalonia as one of the most creative nations in twentieth-century Europe. Though its literature remains largely unknown in the United States, a list of some major Catalan painters, sculptors, and architects should suggest the force of such a claim: Antoni Gaudí, Picasso, Joan Miró, Juli Gonzàlez, Salvador Dalí, Antoni Tàpies, and Joan Ponç. These names in themselves evoke the volatile spirit of modern Catalan culture as a whole: playful but emotionally charged, deeply rooted in the land yet ardently experimental.

DAVID H. ROSENTHAL writes frequently about Catalan culture and politics. His Modern Catalan Poetry: An Anthology *will be published this month by New Rivers Press.*

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Catalan culture, like the language itself, has always been far closer to that of Occitania (a region of southern France) and Northern Italy than to the interior of Spain. In addition, Catalan social structure differs dramatically from that of the rest of the Iberian peninsula. The most powerful single class in the old Catalan-Aragonese kingdom was its energetic mercantile bourgeoisie. Despite periods of weakness, this class has given a special character to subsequent Catalan history. Catalans are known within Spain—sometimes with scorn, sometimes with admiration—as an unusually hard-working people unhampered by aristocratic conventions. (This characteristic is a long-standing one. Statistics from the eighteenth century, for example, show that in the Bishopric of Burgos in Castile a full third of the heads of family were nobility and therefore forbidden to engage in trade or industry; however, in the Principality only one percent of the heads of family were members of the nobility.) Apart from the bourgeoisie, Catalonia has had a prosperous and independent peasantry and a large number of artisans and small traders (called *menestrals*). These two groups—peasants and *menestrals*—are closely linked to each other through the traditional Catalan system of primogeniture, under which the firstborn sons of peasant families would help their younger brothers set themselves up in trade or some craft. The class of *menestrals* has probably contributed more than any other to the special flavor of modern Catalan culture and society. (A new class, the industrial proletariat, has also emerged as an important social force during the past century.)

On January 16, 1939, Franco's troops entered Barcelona. Shortly thereafter, all use of Catalan outside the home was declared a crime.

In Castile, for example, one quickly notices the absence of these energizing groups. Instead one finds other classes—a parasitic aristocracy, landless agricultural laborers, a corrupt and backward clergy—that have never existed in modern Catalonia. The enlightened Catalan middle class and industrial bourgeoisie have no parallel elsewhere in Spain.

All these factors—language, culture, economic structure, and what we might vaguely call a "Mediterranean world view"—have played their part in making Catalonia one of the most highly developed and sharply defined of Europe's stateless nationalities. One particularly telling example is the fact that in 1975, four-fifths of all Spanish women on the birth control pill lived in Catalonia. In terms of "straight politics," the Valencian Land and the Principality both recently delivered clear majorities to the left. Catalan remains the language most commonly heard in the region's major cities. There are hundreds of thousands of Catalan books in print, including scientific texts, car repair manuals, and murder mysteries, along with a large number of translations of authors ranging from Homer to William Faulkner. *Today*, the first Catalan-language daily newspaper since the Civil War, has reached a circulation of 70,000. There are Catalan radio stations and plans for a Catalan television channel. Though on the defensive for 38 of the last 40 years, Catalan, the language, and Catalanism, as a political movement, are anything but moribund.

CATALANISM, WHICH IS CLOSELY TIED to left-wing politics and which today again seems on the verge of reaching some of its major goals, has its roots in the early nineteenth century. At that time the nation was more prosperous than it had been since the early Renaissance. Its special cultural identity, however, had been in decline since 1700, when Spain's new Bourbon monarchs, who had defeated the Catalans in the War of the Spanish Succession, eliminated the Catalan language from government affairs and publications and closed the University of Barcelona.

Between 1810 and 1830 Catalan industrial expansion, particularly that of its textile industry, accelerated—and with it began the social and political process that has brought Catalonia within reach of independence. Under the restored monarchy, the Spanish government was one of the most reactionary in Metternich's Europe. Its main supports were the Church and absentee landowners. Spain, as a whole, was desperately poor and ignorant, in the final stages of a centuries-long decay, and its government was unsympathetic toward both Catalonia's national traditions and its growing industries.

In 1833, Bonaventura Carles Aribau, a middle-class Catalan living in Madrid, published "To the Fatherland," a poem that is usually considered the starting point of modern Catalan literature. The work has no special literary merit, but it does mark the reawakening of interest among educated Catalans in their own language and literary tradition. From the 1830s on, and especially after the 1859 reestablishment of the *Jocs Florals* ("Floral Games")—public poetry contests in which prizes were awarded—the Catalan cultural revival quickened its pace. Catalonia was industrializing. Barcelona had burst its fifteenth-century walls and was pouring out into the surrounding countryside.

In the late 1800s, Barcelona's lower middle-class neighborhoods developed a network of civic and cultural associations that would have been unimaginable anywhere else in Spain. Perhaps the most famous of these were the choral societies, of which there were 57 by 1864. Their founder was Josep Anselm Clavé, a typical *menestral*. As Catalanism grew, enlightened *menestrals* like Clavé—a radical republican who was continually hounded by the police—came to make up the great majority of its supporters. Such people still dominate the atmosphere of certain older Barcelona neighborhoods—Gràcia, for example, with its tiny stores and workshops, its intricate network of small streets with names like Liberty and Fraternity. The proprietors of these shops are Barcelona's frustrated Jacobins, who, like the members of most other social classes in Catalonia, are frustrated because they haven't been able to play their "normal" role in a "normal" political situation. For most of the past 200 years, they have been at the mercy of an alien society: the medieval world of Castile.

The other group on the rise during the late 1800s was the industrial working class, composed of Catalans and of "immigrants" from other areas of Spain. This group, encouraged perhaps by Catalonia's special powerlessness, embraced anarchism as no other European working class has ever done.

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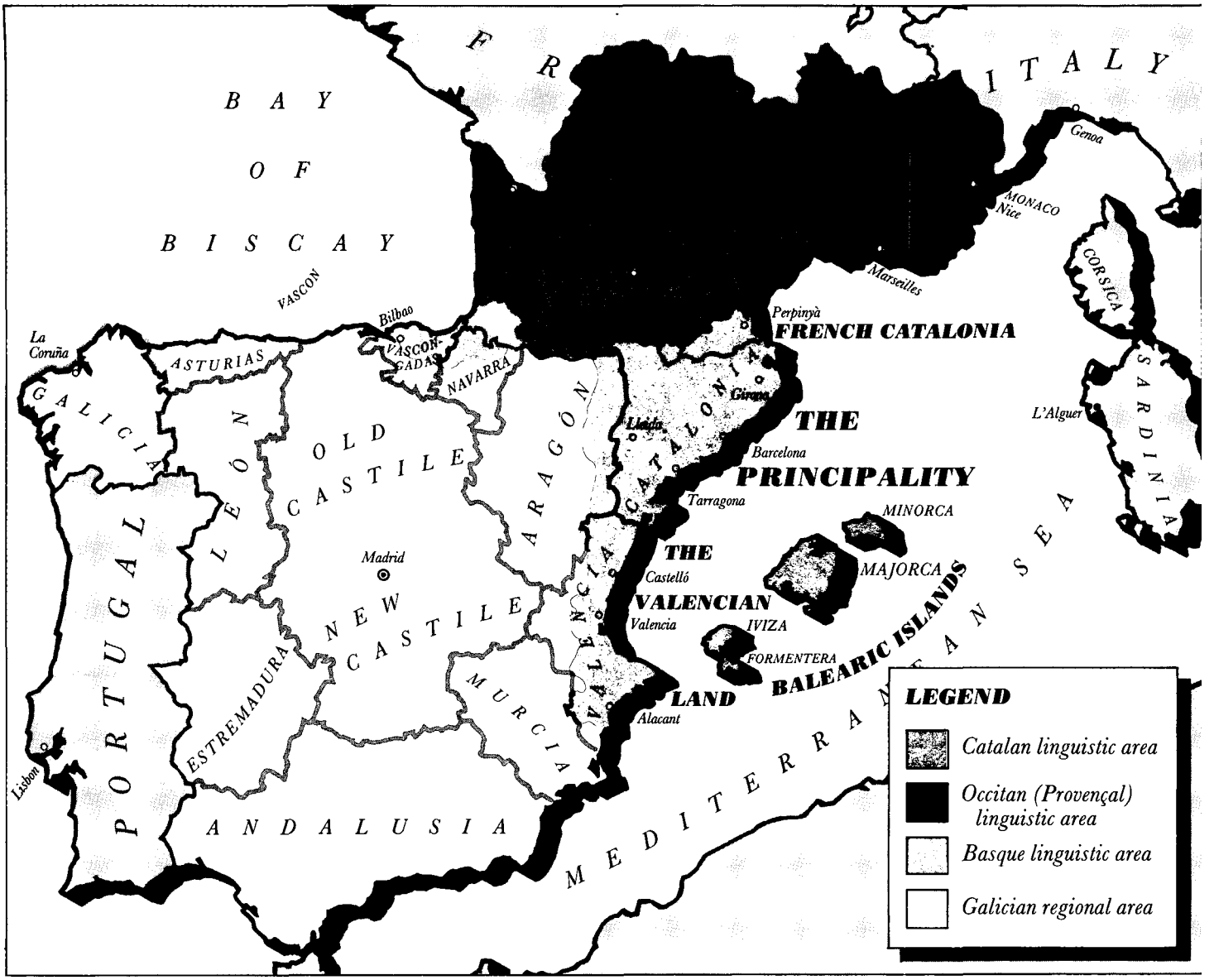

One way of viewing their anarchism is to see it as the result of their lack of faith in conventional politics among people who have never been able to control their own destiny. Another possible view is that anarchism arose at an exceptionally creative moment. The anarchists' interest in culture and education, their network of schools and lending libraries, their insistence on a revolution made by the people and not by a manipulative "vanguard," lend some truth to this theory.

Unfortunately, the full scope of the anarchists' activities has still not been completely investigated. Their feminism is one example. A magazine called *Free Women*, published during the 1930s, went unmentioned in the few books about Spanish women written before 1975. And yet it printed a kind of material and represented a kind of consciousness unique in Europe at that time. The following quotation, from an article by "Ilsa," will give an idea of its tone:

> . . . it is inevitable that a woman's subconscious should see in these loved ones—parents, husband, children—enemies of her freedom. A woman must fight against prejudices and traditions, conquer them, and now inwardly free and in a new situation, really unite with her comrades of the opposite sex in their common struggle against the outside enemy, against servitude and oppression.
>
> It is hard for a woman to determine exactly what her inner ties are. In the first place, she must give up comfortable habits. Alone she must reach this decision and alone she must fight. Nothing but her own love of freedom can help her in this. No man—not even her anarchist comrade—can help her. On the contrary, there is so much masculine vanity hidden in him too that, without realizing it and with misunderstood love and friendship, he often works against women's liberation.

What is perhaps most striking about this quotation—even more than the modernity of the ideas expressed—is that it appeared in a magazine produced by and for a working class organization of 20,000 members.

ALL THESE CATALAN GROUPS—businessmen, artists, *menestrals,* and factory workers—lived an intense and heated existence during the late nineteenth and early twentieth centuries. Catalonia was becoming a modern nation. The cultural and intellectual renaissance had outgrown its initial romantic-patriotic stage and was producing writers of international stature like Joan Maragall, Narcís Oller, and Àngel Guimerà. Other figures, including the architect Gaudí and, a bit later, Picasso and Miró, gained international recognition. Barcelona became a

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center for the avant-garde.

Meanwhile, both the number and circulation of Catalan newspapers and magazines increased. Several important Catalanist political parties were founded, the largest of which was the *Lliga Catalanista* (Catalanist League). As a major political force, the *Lliga* was short-lived, a victim of the rebellions and bloody repressions of 1909 and 1918. Nonetheless, the *Lliga* did much to establish Catalanism as a viable political force. When the newborn Spanish Republic held a plebiscite on autonomy in 1931, Catalonia voted an overwhelming "yes" while at the same time sending only three members of the conservative *Lliga* to parliament.

From 1931 to 1939, Catalonia had its own chief executive and legislature, as well as bilingual legal and educational systems. There were over a thousand Catalan-language newspapers and magazines. Catalan schools were among the best in Europe, astonishingly humane and advanced if one considers what normally passes for education in Spain. A nostalgic recollection by Francisco Candel, the Castilian-speaking son of "immigrants" and now a senator from Catalonia, gives something of their flavor:

It was a European education. Sunny, ventilated classrooms, courtyards with gardens, boys and girls together, no parrotlike memorization. We learned while we played. We sang, we studied dance. The students weren't lined up in rows. Instead of desks, we had large tables, like in a meeting, with vases of flowers. The school had all the most modern facilities: a library, first-aid, showers, an anatomy model, a skeleton, an air pump, a microscope, maps, large illustrative sheets . . . In the summer, they took us away for a month to camps . . .

The eight years of autonomy marked the fulfillment of a century of struggle and education. Unlike most of the rest of Spain, which veered from left to right in general elections, Catalonia remained solidly behind its government, led by Lluís Companys and the *Esquerra Catalana* (Catalan Left Front). Tragically, the full possibilities of an autonomous Catalonia were never realized. The period of time was too short—five years before the start of the Civil War. The war, of course, limited the government's scope of action.

ON JANUARY 16, 1939, FRANCO'S TROOPS entered Barcelona. Shortly thereafter, all use of Catalan outside the home was declared a crime. Hundreds of thousands of books were burned. The Guardia Civil was quartered in school buildings. Offices were hung with signs reading *"No ladres, habla el idioma del Imperio."* ("Don't bark. Speak the language of the Empire.") Even the *sardana*, Catalonia's national dance, was outlawed. "Subversive" Republican textbooks were replaced by materials like the following:

What is the land of Spain? The land of Spain is the greater part of the Iberian peninsula, which God providentially placed at the center of the earth . . . *Why do you say Castilian will be the language of future civilization?* Castilian will be the language of future civilization because English and French, which could share this function with it, are languages so exhausted that they are on the road to complete dissolution.

Overnight, a whole world disappeared. Between 1939 and 1944, according to published sources, 192,000 people were executed. Ordinary citizens, trade unionists or party militants, vanished into concentration camps. Some returned years later. Others never came back.

It was an era of great poverty, of rationing and black-market millionaires, of constant struggle in all but the wealthiest families to find enough to eat. A climate of fear and exhaustion settled over all of Spain. In addition, Catalonia and the Basque country were treated as conquered territories. Before 1939 they had been the only industrialized areas in Spain, and now they were punished for their support of the Republic. The government's postwar economic policy is well described in this quotation from Falangist official Dionisio Ridruejo:

On an economic level, everything possible was done to benefit the rest of Spain through industrialization. But this also went in the opposite direction, acting against the guilty regions. These regions were given to understand that they were being punished by having their hitherto substantial development halted. I have heard of innumerable requests on the part of Catalan initiative and capital for the installation of new industries, always answered with the formula "authorized for outside Catalonia."

Essentially, the postwar economic period lasted until 1960. Everything was in short supply, and the economy was stagnant. Then, in 1959, all this changed. Spain threw itself open to foreign capital, adopting Europe's most liberal investment laws. Spanish workers, who had previously found it difficult to leave the country, were allowed to emigrate. They did so by the millions, and their remittances helped create a favorable balance of payments. Overt economic discrimination against Catalonia ended. A whole new set of policies, going by the name of the Economic Stabilization Plan, went into effect. The government that sponsored these policies was dominated by Opus Dei, a pragmatic, technical, religious order recognized by the Vatican in 1950. Opus Dei's technocrats felt that economic growth was Spain's best protection against social change, and for a while they seemed to be right.

Their plan, also known simply as the "Opus Dei Plan," provided the takeoff point for the current Spanish economy. From 1959 until the 1973 economic crisis, Spanish industry grew rapidly. The Spanish GNP is now tenth highest in the world, and large sections of the country give the impression of being completely part of industrial Europe. In addition, a flood of tourists invaded Spain. For 15 years, an army of young people from Northern Europe and the United States have been tramping through the peninsula, leaving in their wake a generation of hip, potsmoking, politicized students. Spanish youth has never been as European as it is now.

In the Catalan Lands, the economic boom and change in attitudes have also meant a new resurgence of nationalism. One aspect of the Opus Dei Plan was the partial lifting of restrictions on Catalan-language publication. Starting in 1960, a torrent of books and magazines poured forth, though the daily press, film, and television were still forbidden territory. Painters like Tàpies and Ponç and poets like Salvador Espriu, Miquel Martí i Pol, and Vicent Andrés Estellés established themselves as major figures. Though generally unnoticed in the schools, these authors were able to publish their works and often to reach a mass audience through best-selling records by singers like Raimon and Maria del Mar Bonet. Their success provided a vital means of communication and helped Catalan culture to survive. Underground political activity also increased, and a Catalan Assembly was founded. It included virtually all the major political parties, from Christian Democrats to Maoists.

Another major change since 1960 is the development of the Balearics and the Valencian Land. Prior to the Civil War, these areas were provincial, semifeudal realms heavily dependent on Madrid. Tourism transformed the Balearics into one of Spain's richest provinces, while shaking the islands out of their centuries-old stagnation and self-isolation, and the Valencian Land now has Spain's

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highest rate of industrial growth. In the wake of these changes, a Catalanist movement has emerged that has far wider support than in the 1930s. During Franco's lifetime this movement created a multi-party Assembly of the Valencian Land (similar to the Catalan Assembly), and caused an annual doubling of the number of Catalan language classes, radio shows, and theatrical productions in Valencia. One of the outstanding contemporary Catalan poets, Vicent Andrés Estellés, is a Valencian. So is Joan Fuster, who is often considered the finest Catalan essayist. The Spanish Socialist Workers' Party, which received the largest number of votes last June in Valencia, favors a statute of autonomy similar to the one recently decreed for the Principality.

HOW, THEN, DOES THE SITUATION currently stand? The new Spanish constitution, though still only in draft form, refers to Spain's various nationalities in two articles:

Article 2: The constitution recognizes and the Monarchy guarantees the right of Spain's different nationalities and regions to autonomy.

Article 4: Castilian is the official state language. All Spaniards have the duty to know it and the right to use it.

Spain's other languages will also be official within those nations and regions that accept them as such in their respective autonomous regimes.

Spain recognizes in the richness of the State's various languages a cultural heritage that should be the object of special respect and protection.

All this, of course, is a far cry from Francoism. Nonetheless, the constitution leaves all the concrete details of autonomy open to negotiation. Although the entire matter is still in a highly fluid state, it appears that the Principality will be allowed some powers of taxation, a police force (though precisely how big and of what kind is not known), control over its school system, and some limited legislative powers. In addition, the Spanish Senate will be composed of representatives of Spain's autonomous areas. In other words, all of Spain, including Castile, will have regional governments with greater or lesser powers. As it stands now, autonomy can only be requested by an area's parliamentary delegation. The areas that have requested it so far are Andalusia, Aragón, Valencia, the Basque provinces (which have been negotiating with the central government for the past two months), and Galicia. The Balearics are on the point of requesting autonomy.

Of all these regions and nationalities, the one that has moved most quickly has been the Principality. President Tarradellas recently named seven cabinet ministers, and three of them (the ministers of labor, education, and health) were from the left. Within the Catalan political spectrum, Tarradellas himself falls somewhere between center and right. For this reason, Prime Minister Suárez chose to negotiate with Tarradellas's representatives as well as with the Catalan parliamentary delegation. The parliamentarians acquiesced because Tarradellas was the only single figure who could authoritatively speak for Catalonia. Old and in rather poor health, he can hardly continue for long as President. Nor is he genuinely well liked in Catalan political circles. His conservative political positions and his high-handed manner with his colleagues have alienated many of his influential countrymen. For example, Tarradellas recently expelled Josep Benet, a distinguished historian and member of the Spanish Senate, from the meetings of the Catalan parliamentarians. Benet was readmitted shortly thereafter, but the incident is typical of Tarradellas's style as a leader.

What Suárez most hoped to avoid, through his discussions with Tarradellas, was the immediate formation of a leftist Catalan government. Nonetheless, it seems almost certain that such a government will exist within a year or two, both in the Principality and in Valencia. In the municipal elections scheduled for next spring, it appears that the Socialists and Communists will emerge with a clear combined majority in most Catalan cities. A similar result is expected when elections are held for the *Generalitat*'s legislature. This projected left government is also one primary reason for the strength of Catalanism among "immigrants" who—apart from their desire for cultural integration—realize that Catalanism offers them the best immediate chance to live under socialism.

A FINAL FACTOR WORTH MENTIONing here is the recent resurgence of anarchism. During Franco's reign the anarchist trade union federation (the CNT) virtually disappeared. The illegal Workers' Commissions that sprang up during the 1960s and early 1970s were largely dominated by the Communists. In the last two years, however, the anarchists have made up for lost time. Their strength in the Catalan labor movement has grown from almost nothing to a position approximately equal to that of the Communists. One cause of this growth was the Communist Party's discouragement of strikes during the parliamentary election campaign. Many workers struck anyway, and found themselves obliged to call on the CNT for help. In addition to the proletariat, another major nucleus of anarchism in Catalonia is found among students and the young in general. Though anarchists refuse to participate in electoral politics, it is possible that they will come to function as a kind of pressure group. Since they view communism as an immediately realizable goal, they can be expected to push any leftist government to take serious steps in that direction.

At this point, however, one can make no definite predictions. The problem of Catalans today—as during the 1930s—is that they are out of step with the conservative areas of Spain. Most Catalans feel they must move cautiously in order to consolidate their recent gains. For the time being, therefore, more "extreme" Catalanist groups like the PSAN (Socialist Party of National Liberation) have only limited support. What the PSAN advocates is the total independence and union of all the Catalan lands. It believes that Catalonia can never realize itself within a more conservative and backward Spain. If events prove the PSAN right, the independence movement can be expected to grow. For the moment, however, most Catalans are willing to wait and see what happens. Barring a rightist coup, Spain will certainly move towards an increasingly decentralized regime. Indeed, it must do so, for nowhere in Europe is attachment to the state so weak as in Spain. What many Catalans hope to see eventually is the inclusion of Spain within a United States of Europe composed of national units like Catalonia, Brittany, and Scotland, rather than centralized states. In the meantime they hope that their nation will again become—as it was during the 1930s—a model of progressive and imaginative government both for the Mediterranean area and for Western Europe as a whole. ❑

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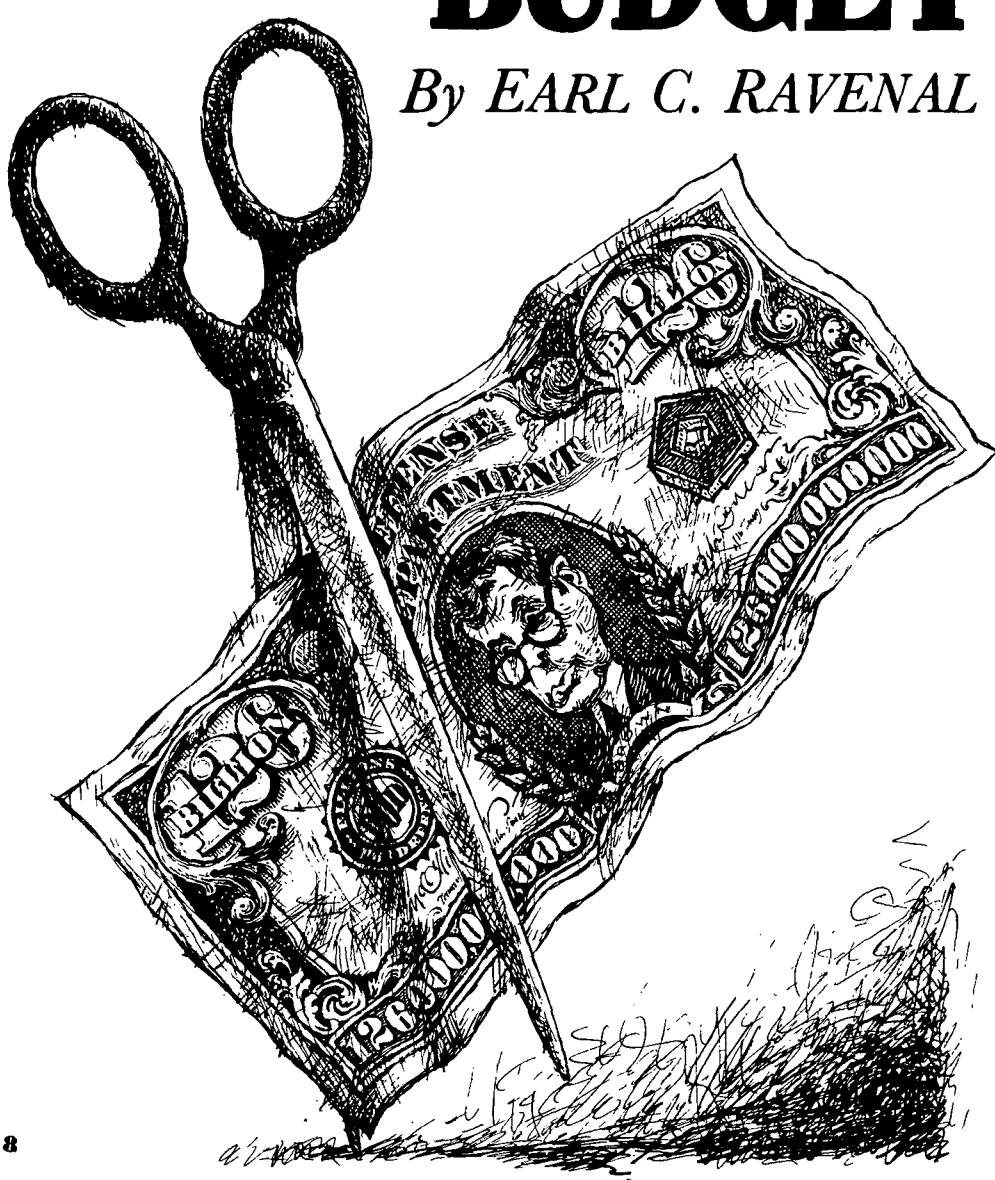
An unhypocritical proposal:

HOW TO CUT THE DEFENSE BUDGET

By EARL C. RAVENAL



BOTH HOUSES OF CONgress are now digesting Secretary of Defense Harold Brown's "posture statement" for Fiscal Year 1979. In this document the Carter administration is requesting spending authority of $126 billion for national defense, up from $117 billion granted by Congress for FY 1978 (military assistance and atomic energy items from other departments' budgets would add another $3 billion or so). If Congress accepts Harold Brown's budget, and its underlying logic, it will have bought a long-term commitment to three percent annual real increases in defense spending. Thus if Harold Brown and the Carter administration have their way, by 1988 the United States will be spending $260 billion a year on defense. And cumulatively, in that decade we will have spent close to *$2 trillion* ($1855 billion, based on Harold Brown's own projections).

But no one seems to care much anymore. The debate this year over the defense budget has been stunted. Those who are pleased by the secretary's request, like the *New York Times*, ooze admiration for his "cool" view of the military threat and his "refreshing and reassuring" presentation. On the other side, the conservatives, who usually get pretty exercised about "transfer payments," don't seem to be registering much of a reaction to this greatest resource transfer in history—except to say that it isn't enough. (It is a transfer in the two essential senses of the word from the productive to the unproductive sectors of our economy, by taking dollars from the pockets of workers, farmers, and businessmen and almost literally pouring them on the ground or into the sea, or dispatching them into thin air; and from the United States to the rest of the world, by incurring the high costs of defense preparations, military assistance, and periodic wars.)

There needs to be another side in this debate, one that will reexamine the basic premises upon which Brown's budget is based. It is not enough to nit-pick peripheral aspects of our national strategy or our defense management. If you ask most critics how we can cut the defense budget, they answer: Stop supporting dictators around

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the world; stop intervening in poor Third World countries; cut the fat and the privilege out of the military services; stop the cost overruns; don't trust the military's estimates of what they "need" to perform their mission.

The trouble with these answers is that they don't reach the problem. We're not really giving much of our defense budget to the dictators. We're not spending an impressive amount on forces for the Third World (even the Persian Gulf, which is currently the Pentagon's "half war" contingency, is really a "Russian" situation). And several things can be said about the "fat" in the defense budget: Of course we should keep after it, but there will always be some; it doesn't amount to more than two or three billion dollars a year, and, as Gene McCarthy said, "It's not the fat that should bother us, it's the lean." As for cost overruns, they *should* bother us; but if we buy new weapons systems at the fringe of design or production technology, we can't calibrate cost performance that perfectly; the question simply comes down to who gets stuck with the extra costs, government or industry (and in either case the public does, in the end). Finally, as for beating up on the military, it serves no useful or honest purpose; in discerning "threats" and asking for resources, they are just doing what we pay them to do. If we want to make large savings, we must consider the areas where the most money is spent. We must reexamine our basic foreign policy directions, our grand national strategies, our major commitments—Europe, the Middle East, Asia. And we must devise some real alternatives.

In short, it is time that we did some real "zero-base budgeting" on our national strategies and foreign policies. The secretary of Defense proudly mentions his department's achievements this year in introducing zero-base calculations—speculating about increments and decrements of a few percentage points from existing levels, within narrow categories. But real zero-base budgeting would force us to consider the ultimate purpose of our investment in the defense of some foreign country, government, or piece of turf against the long-term cumulative costs of making that investment, including the contingent costs, or risks, of defending it if it were challenged. And it would force us to make that calculation each year, for each of our alliances—*as if we had not yet made the commitment.*

The next aircraft carrier we buy will cost a grand total of $100 billion; for that $100 billion we will increase our greatness as a nation by the capability to wage 35 attack sorties a day.

WHAT DOES THE ADministration propose to buy with $126 billion next year, or with $2 trillion over the next decade? I am not speaking here about tanks or ships or aircraft or manpower. Instead I am asking what we get out of the forces we buy in terms of military capabilities and foreign policy advantages. What kind of security do we get for $126 billion?

A look at the budget does not yield an easy answer to this question. Harold Brown misleads us by undercosting the components of his budget. For example, he justifies his budget this year largely in terms of strengthening our general purpose forces, the forces that defend our allies and friends, particularly in Europe. But he mentions only the "direct costs" of the "defense of overseas theaters," some $55.4 billion, and he prices our strategic nuclear forces at only $9.8 billion—a total of $65.2 billion. What happened to the other $61 billion? To know what we are buying, and at what cost, we must allocate every item of support and overhead to some force or mission. It is better to allocate these costs roughly and even arbitrarily than to ignore them entirely. We should price defense as if we were selling it as a product; ultimately all the costs have to be recovered.

When we do this, we find that we are spending not $55 billion but $101 billion on general purpose forces, and the balance of $25 billion on strategic nuclear forces. And of those general purpose forces, perhaps $88 billion represents our commitments to defend other nations. Europe alone costs us $62 billion a year; and three years after the end of the Indochina War, spending for Asia is still over $21 billion. Thus, less than 30 percent of our entire defense budget goes toward the direct defense of our country and its own essential interests.

Defense Department budgeteers will be quick to say that it is simplistic to assign parts of our force structure to certain regions. Forces are flexible, they say, and those that are bought for one contingency can be used for another. That may be true, but the budgeteers can't play this shell game indefinitely. Forces must ultimately be *for something*. They have to be justified by what we intend to do with them, and whether they do what we intend them to do.

For example, the next aircraft carrier we buy will cost about $2.3 billion, if we order a modern Nimitz-class nuclear carrier. Most people would say this is a lot of money, but it is only the beginning. It will cost another $3 billion to buy the carrier's complement of about 90 aircraft of various types (most of them to defend the carrier itself); a further $3 billion for six escort ships; another $1.5 billion for a miscellany of replenishment vessels and support systems; and perhaps $1.5 billion more for the carrier's share of shore facilities. This is a total of $11.3 billion, just to buy the hardware. If we add some $22.6 billion to operate the carrier over its 35-year life, the total climbs to $33.9 billion. And that isn't all. For each carrier task force on line, we have to allow for two more in the rear—one in reserve and one in overhaul. So the grand total to sustain one carrier is $100 billion.

Now what is the payoff for this investment? That $100 billion buys the ability to project at sea or onto some distant shore about 35 attack sorties a day—that is, 35 individual flights of a single aircraft, each carrying perhaps six tons of bombs. And that presumes each flight reaches its target, hits it, and returns safely to its ship. Now we're not talking here about "fat" or "inefficiency" or "gold plating." We're talking about something much more basic and intractable—the economics of modern warfare. For $100 billion we

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We have to challenge the very idea of military balance with the Soviets—not whether we are currently enjoying such a balance, but whether we need a military balance at all.

increase our greatness as a nation by the capability to wage 35 attack sorties a day. (And this administration's budget provides for 12 such carrier task forces.)

The purpose of all this is not to tell military horror stories. Instead, it illustrates how the economics of defense and the realities of foreign policy come together, and how both are turning against the prospects for enhancing our role and status in the world by buying more of the implements of "national security." And it also points to the need to rethink the foreign policy paradigm which has long entailed such expenditures.

SINCE THE INCEPTION OF the Cold War, the United States has operated under the sway of a general paradigm that is comprised of two components: deterrence and alliance. Deterrence works mostly at the level of strategic nuclear arms, but it also applies to regional contests. It includes nuclear "umbrellas" and the threat of first use of nuclear weapons, and it implies "essential equivalence"—matching the Soviets at every level of military potential. Alliance translates into forward defense. It includes troop deployments, bases, military assistance, proxy regimes, security commitments, the export of repressive technology, and an interest in political "stability"—quite a different objective from the benign condition of strategic stability.

Of course these two components, deterrence and alliance, are mixed in various proportions in concrete strategies toward countries and regions. And when crosscut by the constraints of budgetary pressures and public opinion that arise particularly in the wake of expensive, prolonged, and not notably successful military exercises, these components emerge in rather different "national strategies"—as different as the "massive retaliation" and "New Look" of the Eisenhower-Dulles administration and the "flexible response" of the Kennedy-McNamara administration. But the basic paradigm has enjoyed the support of liberals and conservatives and has scarcely been challenged during the past 30 years. Unless it is substantially altered, we will be condemned to periodic exercises of "brinkmanship," such as Cuba in 1962 and the Middle East in 1973; to periodic "limited wars," such as Korea and Vietnam; and to the hovering threat of a global nuclear confrontation. It has been said that "deterrence works." It works, that is, until it fails. And then, because of the exaggerated retaliatory postures that have been adopted by both sides "to strengthen deterrence," destruction will be vastly increased.

Brown's defense budget is a classic effort to balance the foreign policies and national strategies of this general paradigm with appropriate plans and weapons. It has become traditional for secretaries of Defense to recite a depressing litany of Soviet military capabilities and hostile intent as if it were a sufficient argument for our doing something about them. Though the Carter administration last year forswore the "inordinate fear of Communism," Secretary Brown's message is not much different from that of his predecessors:

> The Soviet Union continues to invest heavily in both the modernization and the improvement of its armed forces. . . . The Soviet defense effort now exceeds that of the United States by 32 percent overall. . . . Between 1964 and 1977, Soviet military personnel . . . increased from 3.4 to 4.4 million men. . . . The Soviets have outproduced the United States in tanks, armored fighting vehicles, artillery, submarines, and minor surface combatants for more than a decade. Their present output of tactical aircraft and helicopters is also greater than ours. . . . Since 1964, we have witnessed a particularly impressive growth and qualitative improvement in the Soviet strategic nuclear forces. . . . We have also seen the expansion and modernization of the Soviet ground forces oriented toward Western Europe, with increased numbers of improved tanks, armored fighting vehicles. . . .

These are not idle points. But they do not—except by a conceptual leap—mandate any response by the United States. In particular, they do not uniquely indicate the maintenance of "essential equivalence"—a term of art borrowed by Secretary Brown from the late Nixon administration.

To describe—and to justify—the arms race over the past three decades, Harold Brown gives us an Aesopian image. The Russians have been the tortoise and we have been the hare; lately we have been resting, and now we have some catching up to do. His defense budget is "the right regimen for a long-distance runner," he says. But the image is phony and the regimen is wrong. The United States and the Soviet Union are rather like two gigantesque sumo wrestlers, engaged only ostensibly in a wrestling contest but actually in an eating contest—and perhaps a grunting contest. Does each competitor grow healthier as it grows fatter? Are their spectators, the rest of the world, supposed to be impressed, and deferential?

SO WE HAVE TO CHALlenge the very idea of military balance—not whether we are currently enjoying such a balance, or whether it happens to be in our favor, but whether we need a military balance at all, as opposed to the more limited notion of stability, which is quite essential. Balance is an elusive and capricious concept, and the quest for balance is more likely to amount to unending competition and perpetual instability.

It is also time to challenge the doctrine of forward defense, in the name of which we have acquired, directly or indirectly, close to a hundred allies and clients around the world. Needless to say, Harold Brown affirms this basic pillar of the American paradigm. He cites the shrinking of distances through military and communications technology as making "this development virtually inevitable," and he reinforces the old geopolitical mandate that "we cannot afford to let the rest of the world fall under the dominion or hegemony of another great power."

These are all the traditional arguments for an American global posture. In a brief lesson in American his-

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tory, the secretary notes that President Roosevelt moved us to the Rhine, and Kennedy moved us to Berlin. And it is all too true that, despite the record of the past 30 years—stalemate or defeat in two critical limited wars—and despite all the recent talk of "selectivity" of involvement, no administration has given up any substantial geographical situation, unless it has been forced out or obstructed by Congress. Indeed, Secretary Brown would add some formidable chunks of real estate to our area of defensive responsiblity. According to him, "The U.S. frontier" is now "a great arc that contains vital areas all the way from North Norway to Japan and the Aleutians," and we have even acquired—by what constitutional process it is not clear—an "interest in the political independence and territorial integrity of the People's Republic of China and Yugoslavia." (Perhaps these states, too, are members of the "coalition for peace, human rights, national independence, and pluralism.") He concludes: "If the conditions of U.S. security are to be maintained, the United States must still take the lead and carry the heaviest load in the coalition. There is no one else to take our place." Apparently Harold Brown is still picking up James Schlesinger's fallen torches.

The trouble is that all the accretions to this empire of the imagination are not free. They are all, in some sense, contested; and so they require not just bold assertions and brave warnings but defense. As in all things, there is a price to be paid; and that price has been growing higher. The burdens of effective forward defense—as the secretary reminds us—include enhanced combat readiness and demonstrable sustainability. By some reckonings, forward defense is already priced out of our reach.

IT MAY BE TIME TO THINK OF the most restricted perimeter we can maintain to protect the core of essential American values that must be preserved, almost unconditionally, as part of the definition of our national identity and the condition of our national sovereignty. Those essential values are our political integrity (the autonomy of our chosen political processes) and the safety of our citizens and their domestic property. Those are the irreducible objects of defense. It is going to be a tall enough order, as the world is shaping up, to defend even those with confidence.

Clearly, we need a counter to the reigning paradigm. The debate on national security will not be joined until we have transcended the limited positions of the liberals and conservatives and have reestablished a third position, one that challenges the premises of deterrence and alliance on fundamental grounds. The essence of this counter-paradigm would be war-avoidance and self-reliance. It would involve the substantial devolution of defensive responsibilities upon our present allies. The effect would be to decouple the American strategic deterrent from the defense of regions. Present alliances would, at the very least, be transformed.

Fortunately for a reassessment of our fundamental defense needs, we don't even need military "balance," and certainly not "superiority"—just finite sufficiency of defense. Moreover, we have been operating far beyond the frontiers of our vital security interests for 30 years. A shift to war-avoidance and self-reliance would not be the result of any gleeful predilection for disengagement. It would simply be the most prudent accommodation we could make to new realities in the world and in our domestic system. War-avoidance and self-reliance are indicated by the worsening ratio of the costs and benefits of intervention. Whether we wish it or not, the international system is becoming less orderly, as well as less amenable to attempts by one nation, or group of nations, to impose its version of order. We must move from exercises of control to exercises of adjustment; from projecting our national values to protecting them.

We also need a different definition of "national security." We should return to a very pristine notion: The national security function is to guarantee that no part of the United States is attacked and destroyed by an enemy's forces (whether nuclear or conventional), that our soil is never invaded and occupied by a foreign power, that our internal processes are never dictated by the threat of another nation (or non-national group), and that American lives and property, military and civilian, are not spent except in the obvious and necessary defense of those objectives. To protect other objects that do not contribute to these security objectives is actually to risk our own security by binding it to that of others. In this sense, "foreign" policy is actually an extension of domestic policy; it begins and ends at home.

We could defend our essential security and our core values with a much smaller and tighter force structure than we now have. Such a force structure would provide the following general purpose forces: 8 land divisions (6 Army and 2 Marine), 19 tactical air wing equivalents (11 Air Force, 2 Marine, and 4 Navy), with 6 carrier task forces. With the addition of a dyad of strategic nuclear deterrent forces (submarines and standoff bombers), it would require 1,250,000 men (Army 390,000, Air Force 360,000, Navy 370,000, Marine Corps 130,000). The total defense budget, at the end of a decade of adjustment, would be about $71 billion a year, in 1979 dollars. In contrast, the administration is asking for FY 1979: 19 land divisions and 44 tactical air wing equivalents, with 12 carrier task forces; 2,049,000 men; and $126 billion.

WHERE, AND HOW, do we start toward this new posture? I would make a modest and comparatively painless "zero-growth" proposal: Take the defense budget originally requested by this administration for the present year 1978 and simply hold it steady, despite inflation and with no real cost growth, for a decade. That would save only $6 billion in 1979. But by 1988 we would still have a defense budget of $120 billion, while Harold Brown, or his successor, would be spending $260 billion. And we would have saved more than $650 billion in ten years. By doing this, we can get off the treadmill of "essential equivalence" with the Soviet Union. We can move our foreign policy toward a "new realism" about our position in the world. And we can lay the foundation of a healthy society and a productive and balanced economy.

The starting point is to know what defense really costs, what it buys, and what we are giving up in order to buy it. These matters are not technical arcana, requiring purely military expertise. They are not like actually designing and operating weapons systems. They are political matters, open to informed and concerned people of all occupations. Revealing the costs and consequences of defense and putting the choices up to the people do not dictate what those choices will be. But it would be surprising if the people, knowing what their defense dollars currently buy, did not start to demand some major changes in our national strategies and our foreign policies. ❑

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AUTOBIOGRAPHY OF VALUES, by Charles Lindbergh. Harcourt Brace Jovanovitch, 423 pp., $12.95.

Unpopular hero

REED WHITTEMORE

DURING HIS LAST YEARS Lindbergh busied himself searching for "supernatural awareness." In the final chapters of his *Autobiography of Values*, which are largely devoted to this search, we find him moving back and forth obsessively between the extremes of primitive and civilized life with which his incredible flying experiences had confronted him for 50 years. We find him, for instance, looking at the moon from the jungle beneath Mount Kilimanjaro, and comparing that with watching a space shot on TV in a blockhouse at Cape Canaveral. In these chapters he reaches for secrets that a sedentary, conventional intelligence would never think to explore, and for those who share with him, as I do not, the faith that "death is an entrance to experience rather than an exit from it," his speculations will be rewarding.

For me, the core of the book remains the flier Lindbergh, a man whose intelligence, for all its intuitive powers, was chiefly remarkable for its orderliness, thoroughness, rationality, persistence, devotion to method. He must have been a fright to live with sometimes, but he was the greatest flier the world has known; and he was so because of his vast knowledge of flying and his dedication to that knowledge—a steady, untiring devotion. Infinitely resourceful as a pilot, he seems never to have been driven back on just prayer.

Lindbergh was absolutely the right pilot to give Henry Ford, who hated planes even as he built them, his first ride, and probably also the right pilot to lead the world into the air age. But was his mind a good mind outside the cockpit? *Autobiography of Values* shows him meditating at length upon the meaning of his experiences but usually managing to look a bit like the absent-minded professor who has come to class to impart wisdom but forgotten his shoes. What Lindbergh forgot was that there were things America never forgave him for, the dailiness, the ordinary life. He was blind to the randomness of democratic society, to the casual and unmeant.

And he was wholly resistant to the forces in democratic society that were trying to take him over. He did not want to appear on Ambassador Herrick's balcony the morning after his arrival in Paris; he did not want to make a Hollywood movie of his flight; he did not gravitate to fame, money, and power in the usual way. He preferred instead to be famous for his continued aeronautical accomplishments, to be moneyed by marriage, and to exercise power within the closed upper circles of military and corporate life. It was especially in his early and continuing hostility to the press that his insistent lonerism showed itself. In fighting the press and its demands that he conform to its expectations for public men, he inadvertently became a member of a very select club of twentieth-century celebrities, each of whom has managed in his own way to become a sort of outcast, official or unofficial, in his own country.

In America, any hero who isolates himself Ibsen-like from public opinion is in trouble.

The members of the club? I think of Ezra Pound, Charlie Chaplin, Paul Robeson, but there are others equally well qualified. They would have disliked each other, yet they shared a common dislike of the regularizers of public opinion. Pound, for instance—who, like Lindbergh, bore the stigma of "fascist" to the end—dismissed the press ideologically in a way that Lindbergh would have wholly admired, saying that the press always told the people what they wanted to hear, whereas it was the duty of the poet to tell them what they didn't want to hear.

Lindbergh, of course, had even better reasons than Pound to hate the press. The history of the press's collective handling of his affairs, even before the kidnapping of his child, is unremittingly dark, a history that ought to be required reading for anybody going into journalism. Nobody reading it can doubt that he was—just as he said he was—literally driven out of his own country by the press; and only those for whom Lindbergh's pro-German gestures in the late thirties block out any further consideration of the complexities of his life and thought can believe that he had all *that* coming. More important, beyond the continuing controversy about his pre-World War II isolationism, there is the larger cultural tragedy that his case touchingly illustrates, the tragedy of our own Siberia, a presence made the more tragic by our inability to acknowledge it.

Lindbergh put himself in trouble by mixing a respect for German technology and industrial power with the kind of early twentieth-century racism that his Minnesota background had prepared him for, the kind found in persons as diverse as Jack London and Henry Adams, the kind of racism that did not neglect to be anti-Semitic but dwelt chiefly on the "Asian hordes." In 1939 Lindbergh was isolationist because he feared Russia more than he feared Germany (and in his *Autobiogra-*

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hy of Values he still characterizes the SSR as dominated by "primitive and emi-Asiatic masses"). He had an dealistic though racist notion that omehow the West, including Germany, was serving progress, civilization, and the other early twentieth-entury images of the good life, as the 'primitive masses" were not. Combining that evolutionary notion—straight ut of the Social Darwinists—with his uilt-in interest in the progress of aviation seems to have brought on his German romance. It was a limited romance ven when he was being most outspokenly isolationist.

THE PRESENT BOOK, PUT together after his death by his publisher-friend William ovanovitch and a Yale archivist, udith Ann Schiff, is essentially indbergh's own reconsideration, in ld age, of his early idealism. It shows im doubting the virtues of "civilization," shows him ill at ease in the jet ge, where flying has lost its ties to arth, shows him worrying the bone of rogress all over the globe (but especially in the Harz Mountains where, fter the war, he was shown where the Nazis had been building their superadvanced V-2 rockets, and in the same lace incinerating prisoners), and nding strengths in the "primitive asses" that he would have simply ignored in 1939. Also, of course, it finds im meditating upon occult phenomna as he would not have done in youth. ut even in its most mystical moments, he book displays the pragmatist and cientist in him.

One of the striking passages for me vas his account of a meeting with Carl ung. I imagined that he and Jung vould have made sweet music together, vith their common faith in a mix of cience and intuition; but no, Jung disppointed Lindbergh. Jung took a high nd mighty line with him about flying aucers. Citing the disintegration of a OAC Comet as an instance of saucer ctivity, Jung appeared to be "completely uninterested in the fact that in his instance . . . official investigations isclosed that the disintegration was aused by fuselage rupture resulting om fatigue." He thus shocked fact-especter Lindbergh who nonetheless mbiguously concluded:

Here was one of the most eminent psychiarists of modern times believing and repeating myths less probable than those evolved y cave men. And when one reads present-lay books describing "factual observations" of "supernatural phenomena," it is difficult to avoid the conclusion that myths, superstitions and beliefs now held by many educated persons are as fantastic, intuitive, improbable—and perceptive—as those held by primitive men for ages.

The backtracking evident in the aside in that passage—to the effect that superstitions, while primitive and unscientific, can be "perceptive"—is characteristic of the book and characteristic, I would guess, of Lindbergh's old-man thoughts in general as he came to acknowledge, in a way that no American hero is supposed to, the contrariness and persistent inaccessibility of truth. The hero in America cannot afford to make such acknowledgments if he would successfully ply his hero's trade. Instead he must know, or pretend to know, where he's at. If he's in business, he must display convictions like those of the owner of the San Diego Padres, who recently commented on Commissioner Bowie Kuhn's efforts to lower the price tags in baseball trades by recommending that Kuhn be replaced by "a good businessman who knows what life is all about." If he's in politics, he's sure that our two-party system, or what's left of it, is still the only way to social salvation, and he is therefore heroically affronted by the likes of Gene McCarthy, whose psyche has strange affinities to Lindbergh's. If he's in poetry, he's like, well, Joyce Kilmer, who never displayed any doubt that poetry was being led astray by the villainous modernist dissenters around him who were meddling with Beauty.

To put it differently, any American hero who sets himself up in Ibsen-like isolation from conventional opinion is in trouble. He can fly the Atlantic backwards on a Chinese kite and be loved, but if he displays *intellectual* eccentricity, no thank you. Of course, if he is lucky, he may be saved (despite himself) by the culture, which sometimes refuses to believe that such an individual could entertain the subversive thoughts that in fact he does entertain (Robert Frost may be an example). But if the public actually manages to hear him, his heroism is tainted forever. The American public heard Lindbergh, and what it heard damaged *The Spirit of St. Louis* as the elements never could.

Lindbergh's mind should probably not be called a great one, but it was a strong, inquiring mind, a mind of great integrity, one that took no wooden nickels and would not settle for hearsay opinions or consensus opinions on either the state of an airfield or the state of a civilization. In another culture such qualities might be *identified* with the heroic. Not in ours. ❏

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AMERICAN MEDICAL EDUCATION: The Formative Years, 1765–1910, by Martin Kaufman. Greenwood Press, 208 pp., $12.95.

ORGANIZED MEDICINE IN THE PROGRESSIVE ERA: The Move Toward Monopoly, by James G. Burrow. Johns Hopkins University Press, 218 pp., $12.95.

Monopolizing medicine

RONALD HAMOWY

IF YOU HAPPEN TO LIKE gadgets and enjoy browsing through catalogs, you will find in Hewlett-Packard's latest list of offerings a whole series of booklets containing programming solutions newly available to the owner of that wonder of modern technology, the programmable, hand-held calculator. You might also note that of the many booklets offered, one is aimed specifically at the medical practitioner, allowing him quick solutions to calculating problems in, among other areas, "bedside blood-gas interpretation" and "anesthesiology parameters." But in addition, the medical practitioner's kit contains a library of problem-solving programs at first blush unrelated to the field of medicine and yet included in booklets aimed at no other profession: "Income-tax planning I and II."

An interest in maximizing one's income (and minimizing one's taxes) is, of course, not limited to medical doctors. But American physicians as a group have been unusually successful in securing their share of the national wealth, indeed, in almost all cases successful out of all proportion to their skill, training, and contributions to the welfare of their fellow men. In 1970, the median net earnings of nonsalaried physicians in the United States, of whom there were approximately 200,000, was more than $41,500 a year. This was substantially higher than the incomes of other professions. For example, the comparable figures for self-employed dentists was $28,100; for engineers, $17,700; and for college teachers at the rank of full professor, $16,800.

The differential has continued to broaden over time, and by 1974 the median net income of physicians who had seen fit to incorporate themselves—over a third of all office-based medical doctors—had reached the enviable figure of $72,500. Thus, despite the image of Schweitzer-like devotion to the poor and ailing, which the American Medical Association has so assiduously tried to promote over the years, the medical profession has done startlingly well financially. Milton Friedman and Simon Kuznets pointed out more than 30 years ago that the discrepancy between the incomes of physicians and members of other professions could not be explained by the higher costs involved in the training of doctors nor by other factors associated with the free interplay of supply and demand. Rather, the discrepancy is indicative of the medical profession's ability to determine the number of new physicians that will be created each year and hence to control the current stock of doctors. The structure and methods of organized medicine and the development of medical education, all of which have permitted this state of affairs to come about, are treated in both Kaufman's and Burrow's books.

Kaufman attempts a survey of the history of medical education in the United States from its rudimentary beginnings in colonial America to the release of the Flexner report in 1910. After discussing the system of apprenticeship that prevailed in pre-Revolutionary America, he traces the development of more formalized education in the nineteenth century, as medical schools, the great bulk of which were proprietary, were organized throughout the country in larger and larger numbers. Between 1810 and 1840, Kaufman notes, 26 new schools were established, and the succeeding 37 years witnessed the addition of 47 more. These schools were neither licensed nor controlled by the government, a circumstance which allowed for their proliferation and thus provided increasing numbers of physicians to a growing country. In fact—although Kaufman neglects to point this out—there were more medical doctors per 100,000 people in the United States in 1850 than there were in 1970. Nor, after 1830, were medical licensing laws a serious obstacle to the practice of medicine. Under severe attack from Jacksonian democrats and heterodox physicians, those laws which did exist were repealed between 1830 and 1850. By the middle of the century, the trade of doctoring was no more controlled than that of horseshoeing.

HETERODOX MEDICINE particularly its two major sects, homeopathy and eclecticism, were instrumental in awakening the public to the barbaric state of orthodox medicine prior to 1850. Even Kaufman, whose sympathies lie with the orthodox physicians and their eventual victory in driving the irregular practitioners out of the profession, is appalled by the level of medical practice throughout the first half of the century. "The period from the 1790s to about 1850," he writes, "has been designated by historians as the 'age of heroic medicine.' During these years summoning a physician almost certainly meant undergoing treatment that in an earlier or later time might be characterized as torture."

It was in reaction to the state of clinical medicine, which killed far more often than it cured, that homeopathy and eclecticism developed. Homeopathy, with its stress on minute doses of medication, and eclecticism, emphasizing botanical and herbal remedies, did much to improve the general level of medical therapy by weakening the previously unassailable position which "heroic" treatment had among medical practitioners. That these sects were eventually able to flourish in America is due in large measure to the removal of licensing laws, which, had they been strictly enforced, would have barred their members from practicing medicine. Indeed, one of the central weaknesses of Kaufman's study is his bias in favor of "reform" elements in the medical profession which supported the introduction of stiff licensing laws and obligatory standards of education; in the end these laws and legally enforced standards resulted in the elimination of heterodox practitioners and assured orthodox medicine no further competition.

It is true, as Kaufman maintains, that by modern standards the level of medical training throughout the nineteenth century was fairly low and the average level of education became lower with the proliferation of medical schools. But there is no data to support his thesis that the general level of med

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cal care plummeted as the number of schools multiplied, a thesis especially unwarranted if one includes self-medication. Nor is there any reason to conclude that the absolute number of what Kaufman would regard as competently trained doctors declined over the course of the century, as he clearly implies. Despite the massive increase in population that the United States witnessed between 1850 and 1910—an increase of almost 400 percent—the number of physicians kept pace, from 40,000 in 1850 to more than 150,000 in 1910. These new doctors, created in large numbers by new educational facilities scattered across the country, were not as well trained perhaps as physicians graduated from the more prestigious eastern schools. Considering, however, the awesomely primitive level of treatment administered by even the most highly respected clinicians throughout most of the century, the difference between the best- and worst-trained physicians cannot have been substantial.

THE MEDICAL REFORMERS, with whom Kaufman identifies, were intent on "upgrading" education out of a desire not so much to raise the level of medical care as to restrict competitive forces at work in their profession and thus ensure a more "stable" economic climate in which to practice their trade. Kaufman points to a number of attempts, beginning as early as 1827, to raise the standards of admission to medical schools and to lengthen the required period of study for a diploma—attempts which, for the most part, proved unsuccessful. However, with the reintroduction of state licensing laws after 1880, it became possible to institute the reforms so zealously sought by the American Medical Association and the Association of American Medical Colleges, an organization founded in 1891 by the "better" orthodox schools. Medical licensing laws, as originally drafted, provided that all holders of medical diplomas were automatically licensed to practice in the state. Under intense pressure from the profession, however, these laws were revised to provide for compulsory examination of all prospective licensees. But the final step had still to be taken, amending the laws still further to require that only holders of diplomas from "qualified" medical schools be recognized by state licensing boards. Although the campaign to effectuate this reform is covered in the final chapter of Kaufman's book, the topic, together with its implications, receives more substantial attention in Burrow's work.

Burrow's study of organized medicine from 1900 to America's entry into World War I treats extensively the American Medical Association's activities in encouraging the various state legislatures to enact legislation benefiting physicians—invariably, it appears, at the expense of consumers of medical services. As Burrow notes in his preface, "Patterns of control that the profession secured over the supply of physicians in the Progressive Era account in large measure for the physician-shortage crisis that the nation has faced for about three decades."

In 1900 the AMA inaugurated its highly successful program of expansion by fixing as its principal objective the achievement of its economic ends through political means; the most important of the means employed was legally enforced professional control over the output of physicians. Toward this end, in 1904 it established its Council on Medical Education, which two years later proceeded to rate all the nation's medical schools. With unblushing hypocrisy the council established as one of its criteria that a school should exist for the advancement of medical education, rather than the financial gain of its faculty. Of the 160 schools rated, 79 received a rating of "unacceptable" or lower. Burrow points out that the survey had the active support of state medical societies and, more important, many state boards of health and medical licensing boards—themselves, one need hardly add, composed of physicians. With the backing of such powerful allies, 29 states revised their medical practice laws to empower their examining boards to deny recognition to "substandard" colleges by 1908; as a result, by 1910, 27 schools, or 14 percent of the total, had collapsed.

THE COUNCIL'S SUCCESS IN reducing the number of schools was appreciably aided by the work of Abraham Flexner. The publication of his report on medical education did more to limit the output of physicians than any other single event in the history of American medicine. At the urging of the AMA, the Carnegie Foundation commissioned Flexner to undertake an extensive and ostensibly independent study of American medical schools. Since he was not a physician, scientist, or medical educator, however, Flexner relied heavily on the work previously done by the AMA's Council on Medical Education and particularly on the help of the council's secretary, Dr. N. P. Colwell. The conclusions Flexner reached were published under the auspices of a seemingly disinterested and detached foundation, thus protecting his report against charges of special pleading. Not surprisingly, Flexner's conclusions were almost identical to those made in 1904 and to those contained in the council's second survey in 1910; to the extent that they differed, it was Flexner's that were more critical of the existing situation.

"Flexner's *Report,*" notes Burrow, "struck citadels of medical instruction with the force of a tornado and left many medical educators stunned and shocked. Many old and venerable institutions swayed before his attack, while scores of weaker schools were all but uprooted." The report was, naturally enough, extolled by the *Journal* of the AMA and was widely publicized by state medical societies. Most important, it sealed the fate of a large number of schools. Most medical examining boards made it a prerequisite for licensure that the candidate be graduated from a Class A medical school, as determined by the Association of American Medical Colleges, some local or regional group, or, most commonly, the AMA's Council on Medical Education. The effects on medical education were immediate; Burrow points out that by 1915, only 95 schools remained, a 22 percent decrease in three years. Enrollments, which had stood at more than 28,000 in 1904, were down to half that number 11 years later. They were not to return to the 1904 level until 50 years later.

An important defect of Burrow's analysis is that he fails to detail the consequences on minority enrollments of the AMA's ratings and the Flexner report. By 1929, all medical schools not graded as Class A had closed their doors, leaving only 76 schools in the country, a decline from 160 in 1904. As Reuben Kessel noted, the effect on black schools, however, was even more precipitous; their number dropped from 7 to 2. Enrollments of black students were further reduced by the additional requirements of internship and residency demanded of Class A schools, since most hospitals would not permit blacks on their staffs. With the reduction in the number of medical schools and the increasingly high rates of rejec-

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tion of applicants to those schools which survived, a similar decrease in places for Jews and women occurred.

BURROW'S STORY DOES NOT stop with a review of reforms in medical education. Physicians also sought seriously to limit, if not eradicate, the newer medical sects that had sprung up at the end of the nineteenth century. By 1920, the AMA had effectively eliminated homeopathy and eclecticism, by both classifying their schools as below acceptable levels and absorbing their less zealous practitioners into orthodox medicine. However, osteopathy and chiropractic now emerged as threats to the monopoly control over medical practice that the AMA was bent on achieving. Toward this end, organized medicine sought laws preventing the licensing of these groups. Where this was impossible, they lobbied for strict licensing laws and extremely rigid licensing examinations in all aspects of medicine and biology for prospective osteopaths and chiropractors. At the same time they secured legislation limiting the boundaries of heterodox practitioners.

In most states, osteopaths and chiropractors, when permitted to practice at all, were not allowed the title of physician, could not prescribe or administer drugs, could not perform surgery, and were prevented from aiding in childbirth. At the same time, the AMA launched a nationwide campaign against these sectarian groups, pointing them up as quacks and incompetents. All in all, organized medicine proved fairly successful in its battle against osteopathy and chiropractic. By 1917, the practice of chiropractic was legal in only eight states and only 18 states permitted osteopaths. In all instances, practitioners were subject to the severe restrictions insisted upon by orthodox physicians, despite the fact that their schools were required to maintain standards equal to those of Class A orthodox schools.

The AMA was less effective in its efforts to prevent optometrists from prescribing lenses, a task it claimed properly belonged only to physicians. The circumstance that very few doctors could claim even a minimum competence in refractive procedures did not appear to affect the association's stated position. Indeed, there seem to have been no limits to the sordidness of the AMA in the period covered by Burrow's study: It attempted to bar practitioners of Christian Science on the grounds that they were violating medical practice statutes; it attacked free dispensaries and discount clinics for not being sufficiently select in their determination of who was indigent; it campaigned against university hospitals for price-cutting; and it succeeded in eliminating the occupation of midwifery through the passage of hostile legislation.

Although Burrow's study, like Kaufman's, contains no information not previously published elsewhere, his book serves admirably to underscore the machinations of the medical profession in using political means to limit or destroy all sources of competition, always under the guise of benefiting the public with higher-quality medical care. Burrow, sometimes despite himself, paints a picture of greed, pettiness, and indifference to freedom of contract that is unmatched in any other profession. Organized medicine's high-flown pronouncements concerning its dedication to the goal of ministering to the sick and helpless are, in the light of Burrow's analysis, seen for what they are. The next time you are forced to sit for an hour or two in some physician's waiting room and are looking for something to pass the time, you might consider perusing Burrow's book. If nothing else, it will go a long way toward explaining *why* you are waiting.

NEW COLLECTED POEMS, by Robert Graves. Doubleday, 442 pp., $10.00.

Against the grain

DANA GIOIA

ROBERT GRAVES, PERHAPS England's greatest living poet, is now 82 years old. While it is satisfying to witness the patriarchal longevity of this much honored bard, one must also confess to a certain perplexity in trying to understand, even at this late date, the shape of his career. This difficulty is not only a matter of mastering Graves's enormous output, which currently includes 130 published books. It is more the diversity of these works that makes one ask how one man could have written them all, even in the longest of lifetimes.

Poet, critic, novelist, historian, professor, polemicist, translator, and traducer—Graves has assumed all of these roles, some more splendidly than others, but all of them with a conviction and energy rare among his contemporaries. Each of the last six decades has created its own version of this elusive writer, and somewhere behind them all lurks the same man.

By the end of the First World War, Graves had made a reputation as one of the few important young poets to survive the trenches, and perhaps the only one to survive the bittersweet Georgian movement in poetry. By the twenties he had already changed in the public's eye from a romantic war poet into the angriest young man of his generation, the author of difficult poems, iconoclastic essays, and the perennially shocking memoir, *Goodbye to All That*. The thirties saw Graves emerge as an internationally best-selling novelist with *I, Claudius, Claudius the God,* and *Count Belisarius*. Then in the forties he became the unofficial mythographer of English literature with his disturbing anatomy of the poetic imagination, *The White Goddess*. The fifties and sixties knew Graves as an irascible amateur scholar reinvestigating every subject that caught his fancy. And finally, in the seventies, the old rebel was transformed by the popular press into the Grand Old Man of English poetry, more mentioned than read, honored more often abroad than in England, dusted off for state occasions and then sent home.

Perhaps the showing of the *Claudius* novels on television and T. S. Matthews's cunning memoir, *Jacks or Better,* which discusses Graves's mysterious relationship with the American poetess, Laura Riding, will put the poet back into the limelight. But in any event, the past few years of relative neglect have already served their purpose. They have created a benign indifference to the contentious personality behind the writing long enough for us to see the works themselves.

When a future critic comes to write a comprehensive history of modern English literature, Graves will most likely be forgotten as a novelist and critic. His fiction, while compelling, is didactic

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and awkwardly structured, his criticism too subjective and ungenerous. As a poet, however, Graves will undoubtedly rank as one of the few important writers to stand outside of the international modern movement in literature and continue the great native tradition of English poetry. For while Graves learned much from his modernist contemporaries—greater economy in writing, preciseness in diction, avoidance of the sentimentality that mars most Georgian verse—he adapted these features to a recognizably traditional type of poetry. He demonstrated that a poet could write distinctively in a thoroughly contemporary way without resorting either to the extreme technical innovations of Pound and Williams or to the thematic opacity of Eliot and Stevens. Graves, like his great English predecessors (and unlike most of his contemporaries), wrote for an audience which included non-poets. As much as any other writer, he was the link between earlier poets like Hardy or Houseman and Britain's contemporary masters like Larkin, Davie, Gunn, and Hughes. His influence was often indirect and subtle, but for over half a century he provided younger poets with proof that a strongly individual talent could write great poems in defiance of the prevailing literary fashions.

Significantly, Graves has spent most of his adult life outside of England—in wartime France, in Egypt, in Majorca, and in America. Only someone who maintained such a distance from his changing homeland could have preserved his traditional Englishness so intact. Paradoxically, no major British poet since Hardy has been so thoroughly English as this half-German/half-Irish expatriate. While his learning is enormous and cosmopolitan, his imagination has returned repeatedly to the scenery of his English boyhood. Graves has seen the world, but on a poetic level he has assimilated only those foreign cultures which have made up the bulk of an English schoolboy's education since Shakespeare's time—the world of the Bible (which by Graves's youth had been informally expanded to include the *Rubáiyát* of Omar Khayyám) and the landscapes of classical Greece and Rome.

Exile often sharpens a writer's sense of national identity. Cutting him off from the trivial changes of daily life, it forces him to acknowledge the enduring features of his homeland. Free from the literary vagaries of an often overly sophisticated London, Graves was able to pursue his simpler poetic instincts more single-mindedly than he ever could have at home. His vision of England remained sharp, his English pure and unaffected. Ensconced in Majorca, he was almost alone among his generation in being able to resist the magisterial influence of T. S. Eliot and Ezra Pound. He adapted the themes of traditional English poetry unintimidated by French symbolists then in vogue. He renovated poetic diction by bringing it closer to spoken English than to Pound's imagined polyglot. He revived traditional forms by using them in their original spirit with an enthusiasm that would have abashed any up-to-date member of the London literary establishment.

GRAVES'S BEST POEMS ARE concise, simple, and direct, possessing the ease and energy of an impassioned conversation. The tone and subject are well defined, and they rarely meander. They move so openly and efficiently about their business that a reader is likely to label them old-fashioned until he or she realizes that no one has ever spoken quite this way before. What other poet before or after Graves could have written a four-line love poem quite so simple and believable as "Love Without Hope"?

Love without hope, as when
the young bird-catcher
Swept off his tall hat to
the Squire's own daughter,
So let the imprisoned larks
escape and fly
Singing about her head, as she
rode by.

And who, 50 years later, could still have spoken as directly as in "Brief Reunion," which begins:

Our one foreboding was: we
might forget
How strangely close absence
had drawn us,
How close once more we must be
drawn by parting . . .

This way of speaking has perhaps been Graves's great contribution to modern English poetry. He developed an ability to talk about important issues directly—about war, love, ambition, death—without ever sounding pretentious or stilted. Instinctively, he discovered that tone of voice which most modern poets had lost, that way of speaking simply without becoming false or predictable. He also managed to write strongly individual poetry without becoming inaccessibly subjective. While Graves did less innovative work in poetry than most of his contemporaries, none of them, as Eliot said of quite a different poet, did more to renovate the common language of the tribe.

Robert Graves is an uncomfortable presence in the trendy world of the seventies—still writing about love, still believing in a Muse, still living in exile, still living. If he had died a quarter of a century ago, he would by now have been recognized as a great poet. As it is, no one really knows what to make of such an anomalous individual. He eludes definition, especially to anthologists, journalist-professors, and other taste makers. He seems old-fashioned, beside the point. In short, Graves has been what great poets often are—people of their own time and place who seem to be both out of place and out of date to their contemporaries because they speak about ordinary and enduring things. ❏

CONFLICT AND CRISIS: The Presidency of Harry S Truman, 1945–1948, by Robert J. Donovan. W. W. Norton, 473 pp., $12.95.

Warts and all

MARK PAUL

THE RECENT REVELATIONS of crime in the intelligence agencies and in the White House have tarnished the reputations of many of the leading political figures of postwar America. Curiously, though, one recent President has escaped this wave of public disfavor: Harry Truman. While Nixon wallowed in Watergate and Ford stumbled through his term, a tide of nostalgia for the feisty little politician from Independence, Missouri, engulfed the country. To many Americans, he seemed—if only by contrast—to embody the virtues of honesty and decisiveness so evidently lacking in contemporary leaders.

So strong has been this tide of affec-

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tion that all recent Presidents, Republican and Democratic alike, have rushed to wrap themselves in the Truman mantle. (Jimmy Carter, we are told, displays in his office Truman's plaque with the saying, "The buck stops here.") Writers, too, have cashed in on the fad. From Merle Miller we got the elderly Truman's curmudgeonly (and self-serving) views on his fellow politicians, an embarrassment later translated to the stage by James Whitmore, with no expletives deleted. And from Margaret Truman Daniels came an adoring daughter's portrait of a father who could do little wrong, a book that stood low in historians' esteem but rode high on the best-seller list.

Happily, Robert J. Donovan's *Conflict and Crisis* departs from this nostalgic trend. Using newly declassified documents, the work of historians, and his own experience as White House correspondent for the *Herald Tribune*, Donovan has written the most complete account to date of Truman's first term in office. Here, readers will have the opportunity to look at the Truman presidency without a glossy film of sentimentality.

To those who took the Truman craze seriously, the view Donovan offers will be surprising and, perhaps, dismaying. Donovan plainly admires and respects Truman, but he is too good a reporter to omit the uncomfortable incident or the unpleasant fact. He relates, for instance, that in June 1945 Truman authorized "a very thorough investigation" of Thomas G. Corcoran, a Washington lawyer and New Deal veteran whose influence-peddling and political dealings were causing consternation in the White House. In the course of this investigation, the FBI conducted a "technical surveillance" of Corcoran — a euphemism for wiretapping or bugging — the results of which were passed to Truman's aides. (Nor is this an isolated incident. Truman frequently received from FBI chief J. Edgar Hoover information on political opponents that was plainly the result of taps or bugs.)

Donovan tells us, too, that Truman approved operation "Shamrock," the program whereby the international telegraph companies made available to the military messages sent by, and to, American citizens abroad. And, he makes clear, it was under Truman that the new Central Intelligence Agency began covert political operations.

What Donovan fails to do, however, is to provide an interpretative framework into which these facts fall. The Truman period is perhaps the most hotly disputed era of modern American history. It was a time of dramatic events and great departures: the Cold War, the atomic bombing of Hiroshima and Nagasaki, the Truman Doctrine, the Marshall Plan, the Chinese civil war, the beginnings of the civil rights struggle, the readjustment from a wartime economy, and the domestic anticommunist crusade. Political figures and historians have quarreled violently over the meaning of the administration's role in these events. But Donovan, perhaps wanting to avoid controversy—or maybe hoping the facts will speak for themselves—deliberately eschews analysis. At first there is something refreshing about this approach—most books on the Truman presidency have been irritatingly tendentious. But in the end, it is unsatisfying; one longs to know how Donovan would make sense out of this tumultuous and formative era.

To those who took the Truman craze seriously, the view Donovan offers will be surprising—maybe even dismaying.

HOW, FOR EXAMPLE, ARE we to judge Truman's decision in March 1947 to establish a loyalty program for federal employees? Though Truman himself was not concerned about the dangers of domestic Communism, Donovan argues that "to deflect the heat" coming from anticommunist conservative and Catholic groups and to take the initiative away from the Red-hunters of the House Committee on Un-American Activities, Truman set up a temporary commission to study the loyalty question. What kind of report or recommendation Truman expected from this commission, Donovan does not say. Nor does he explain adequately why Truman, supposedly unconcerned with subversion when he appointed the commission in November, accepted four months later its far-fetched assumption that even one disloyal federal employee posed a "serious threat" to the security of the United States.

But politics, Donovan makes clear, was an important factor: Truman, needing the support of conservatives in Congress for massive aid programs in Greece and Western Europe, knew that he would not be able to sell the Congress and the people on an expansive crusade against Communism abroad while he appeared "soft" on Communism at home. For this reason, Donovan implies, Truman ordered into effect a program that required each federal department to probe the loyalty of its employees and set up loyalty boards to hear the cases of workers whose backgrounds were suspect. As Donovan points out, the loyalty program violated many normal standards of legal procedure. Disloyalty was not adequately defined; persons under suspicion could not confront their accusers; suspect employees were presumed guilty and in effect forced to prove that they were not disloyal.

Many historians have seen Truman's 1947 order as a crucial step in the transformation of the American political culture: it helped confuse the distinction between dissent and disloyalty and paved the way for Senator Joe McCarthy and his allies. Donovan is silent on this point — he seems to suggest, as he often does elsewhere, that Truman was forced to act by political pressures beyond his control. However, it is the strength of his book that the evidence is available for the reader to draw another conclusion: namely, that Truman, because he was anxious to steal the political thunder of the anticommunists on the right and was untroubled by the specter of a Red-hunt, launched a program that abused civil liberties, confused the difference between loyalty and security, employed the notion of guilt by association, and played into the hands of the forces that were exaggerating the "Communist menace."

It is possible to cite other instances where Donovan, after setting out the evidence in his narrative, neglects to tell us what he thinks it means. Some readers may resent his leaving to them the hard work of analyzing and interpreting the evidence. But all should be grateful, after the recent tide of uncritical nostalgia, to have available such an honest and complete account of Truman's first term. ❏

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***AMERICAN HOT WAX,* directed by Floyd Mutrux.**

***A LITTLE NIGHT MUSIC,* directed by Harold Prince.**

Junk food and marzipan

STEPHEN HARVEY

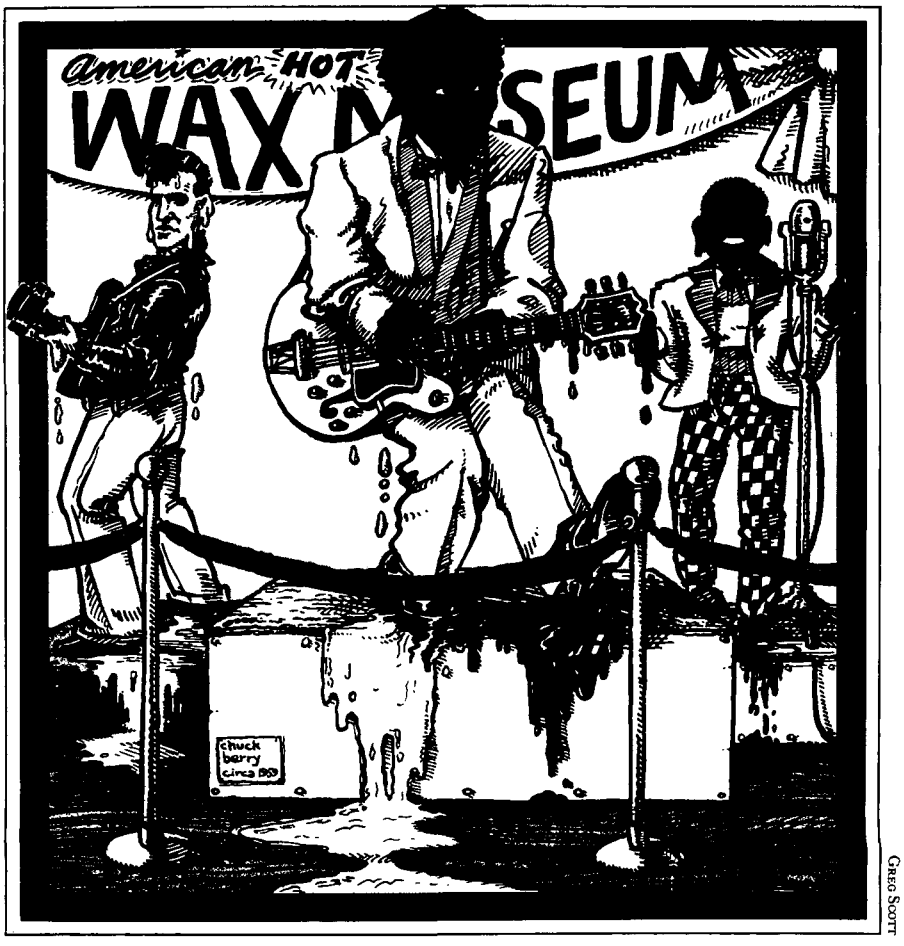
IT'S NO WONDER THAT THE current preoccupation with the 1950s should dismay many of those who actually lived through them. Anyone for whom that time conjures up memories of John Foster Dulles rather than the image of Sal Mineo certainly has every right to be a bit baffled by it all. But the allure of nostalgia is always most potent to those who weren't around to savor the period for themselves and who neither know nor care that the temper of the time was a trifle more complex than a few tinkly pop songs and campy hairstyles suggest.

Audiences are being tempted once more to swoon over that vintage year 1959 via the current film, *American Hot Wax*. The place is Brooklyn and the nominal subject the late Alan Freed, disc-jockeying *doyen* of rock-and-roll before the payola scandal sabotaged his career. "You shoulda been there" proclaim the *Hot Wax* ads, although if you hadda been there I doubt you would have found palm trees sprouting on the street where you lived or color newscasts on your old Motorola. Yet in a sense *American Hot Wax* is truer to the period than its creators probably realize; the plot—if you want to call it that—recalls those black-and-white exploitation cheapies with defensive titles like *Don't Knock the Rock*, in which some aggressive pop music maven triumphs over the square Establishment to mount that tacky last-reel rock-and-roll spectacular featuring anyone and everyone from Tommy Sands to Dee Dee Sharp.

American Hot Wax applies this formula to a bewildering mixture of fact and sheer wishful thinking, and the result is a cheerful live-action cartoon set in a never-never boogieland. This universe is populated by a sharply differentiated set of heroes and villains: the first are true believers in the magic of rock-and-roll; the second, repressed bluenoses and IRS hit men determined to eradicate Freed and the anarchic noise he stands for. Also present are assorted supernumeraries—the sycophants, neophytes, and sleazy promoters jockeying for Freed's golden ear.

They all converge in the week preceding a monumental live show masterminded by Freed, by the end of which the forces of evil have fomented a teen riot and entrapped Freed. But rock-and-roll is here to stay, as the song says; a joyous black quartet named the Chesterfields has been whisked from streetcorner obscurity to platter immortality, and their teenaged, ponytailed songsmith (modeled after the early Carole King) solemnly gives thanks for the day the music gave meaning to her life.

American Hot Wax was shoved into release by Paramount a scant two months after the last camera was turned, in order to whet the public's appetite for the studio's movie version of *Grease*, and at times the haste is glaringly apparent. Director Floyd Mutrux juggles so many characters and pithy little vignettes that the main thrust of the story is hopelessly muddled, while the time sequence is almost unfathomable, thanks to the rush post-production job imposed by the studio. For all its wayward wit the script wasn't much help—it's at its shallowest whenever it strives for resonance. The film examines Freed's mission with about as much irony as St. Augustine brought to the New Testament; Freed is not just a martyr, he's a secular saint, placid, sexless, and, throughout his travails, eternally kind



GREG SCOTT

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The soundtrack propels the whole movie; delight in the music suffuses each frame.

to the gaggle of kids who worship him.

Yet in spite of everything this is a very ingratiating movie. The large supporting cast supplies a hyped-up gallery of droll fifties characters, including a few scathing thumbnail parodies of such uncool pop music types as Connie Francis and Patience and Prudence (remember *them?*). In the role of Freed, round-faced, oleo-voiced Tim McIntire somehow manages to soft-pedal the sanctimoniousness of the part; sitting in his glass booth, blissed-out on his endless medley of 45s, McIntire gives the film the calm center it needs.

The soundtrack, however, is what propels the whole enterprise—the film's delight in the music it celebrates suffuses every frame. Between the impromptu auditions of Freed's supplicants, the recording dates of his protégés, his on-the-air stints, and the final concert, scarcely a moment passes without yet another doo-wa snippet culled from the golden oldie vaults. The young performers recreate the old sounds accurately and with enormous verve. In fact, they're so successful that it might have been a mistake to bring on such authentic relics of the era as Chuck Berry and Jerry Lee Lewis for the finish—at their age, these two have to strain to recapture the freshness and spontaneity that comes so effortlessly to the rest of the cast.

It's an odd quirk of perspective that the juvenile directness of this music—precisely the quality which turned off sophisticated people 20 years ago—is what makes it so disarming now. The movie that Mutrux presents us with is as puerile as the average Bo Diddley ditty, but as they used to say on American Bandstand, it's gotta good beat.

WHILE AMERICAN HOT *Wax* succeeds as tasty junk food for the masses, the movie version of *A Little Night Music* is stale marzipan unlikely to appeal to the elite palate for which it was presumably concocted. This film languished in the can for over a year before some intrepid distributor picked it up, and one wonders why anyone bothered. The Sondheim-Prince collaborations are a minority taste even on Broadway, and it would have taken nothing less than the resurrection of Ernst Lubitsch to make this sexual gavotte in waltz time work on screen. Unfortunately, Harold Prince is no Lubitsch—at this point he doesn't seem to possess even the basic competence of the average movie hack. His first movie effort, *Something for Everyone* (1970), a kind of *All About Eve* in lederhosen, at least featured tart performances by Angela Lansbury and Michael York and was fabricated with a fair amount of technical expertise. Here Prince makes every conceivable mistake in the admittedly ticklish task of adapting a stage musical to the screen.

Nobody has ever quite solved the dilemma of mingling songs and dialogue "naturally" on screen, which is why the backstage plot has so long endured in movie musicals—it gives the viewer a peg for the requisite suspension of disbelief. Prince tries to avoid the problem by playing up the artificiality of the material—he opens the movie with a stage tableau which then dissolves into the "real" milieu of the film. However, from that point onward Prince's approach is neither sound theatricality nor fluid moviemaking, but something perched uneasily between the two. For the most part he handles the various duets and trios from Sondheim's score by cutting distractingly from one close-up to another, which inevitably stalls the momentum. The nonmusical sequences are shaped with even less panache, if possible; the first reunion between exinamorati Desiree (Elizabeth Taylor) and Fredrik (Len Cariou) is inert and interminable, and little of what subsequently follows is an improvement. Despite the sumptuous Viennese locations, the movie isn't even very good to look at, thanks to the bleached-out, overlit color photography by Arthur Ibbetson and the ungainly manner in which it's all been framed.

BOTH THE STAGE VERSION and its luminous source, Bergman's *Smiles of a Summer Night*, were graced with seamless ensemble acting, and one cared deeply about the fate of these characters. Yet the performers here seem barely acquainted with each other; hence the characters they play are shuttled along by the plot rather than seeming to propel it forward themselves. Hermione Gingold has some good feline moments as Desiree's formerly lascivious grande-dame mother, but practically everyone else is either grievously misused or merely dull. The usually sparkling Diana Rigg is inhibited by a part which requires nothing but the suggestion of a constant store of vitriol—not to mention the fact that vocalizing is hardly her strongest suit. As her preening husband, Laurence Guittard is far less dashing on the screen than he was behind the proscenium, which is unfortunate since sex appeal is supposed to be his character's one redeeming feature. And Cariou's film presence is so negligible that he recedes from memory even while he's still on the screen.

Elizabeth Taylor, however, is nothing if not unforgettable. Cast as a woman of boundless wit, allure, and aplomb, she evokes aghast titters from the moment she waltzes into view. Her face is now a bloated mask, the arched black eyebrows and lacquered lips a cruel reminder of her former beauty. Her breasts cascade out of form-fitting bodices that sadistically encase her, and her bulk is such that she can't even walk with a semblance of grace. Added to this is the voice, which when raised in song sounds like that of a tone-deaf Lolita trained at the Betty Windsor School of Elocution.

Taylor has been degrading herself in unsuitable roles in shoddy films for over ten years now; if she's determined to continue making such a pathetic spectacle of herself, surely Prince should be taken to task for not reining her in a bit (or for having cast her in the role at all). When Cariou sings of her eternal charms in a song which contains the lines, "If she'd only been faded, if she'd only been fat . . ." the subsequent bars are drowned out by howls of mirth from the audience.

One can certainly understand the impulse of people like Prince and Sondheim to preserve their Broadway triumphs on celluloid, but a fiasco like this only manages to cloud pleasant memories of the original. Send in the clowns? Don't bother, they're here.

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NAT HENTOFF

Paying her dues

IN THE EARLY 1950s, I CORRESponded regularly with a young Japanese pianist, Toshiko Akiyoshi. Born in Manchuria, classically trained, she moved into jazz in 1947, had her own Tokyo combo four years later, and became one of Japan's reigning swingers. In the jazz world, however, a foreign country is just another territory. The only credential that counts is the imprimatur of black jazzmen who have made it in the music's one true capital, The Apple, New York City. So Toshiko was still beyond the fringes.

Oscar Peterson heard Toshiko in 1953 while on one of Norman Granz's Jazz at the Philharmonic tours. Peterson told Granz about the vivid pianist, and the impresario recorded her. The album was released here, and I was so taken by the young woman's ardor, imagination, and hard swing that I wrote to her. Toshiko's letters consisted primarily of questions about this fabled but intimidating homeland of jazz. Toshiko was well aware that if she came—and she desperately wanted to—the odds against her achieving real acceptance by the jazz players' aristocracy were rather monumental.

First, she was a foreigner. The only non-American who had ever been accorded inside stature in jazz was the gypsy guitarist, Django Reinhardt. And even though he was widely admired, Reinhardt had been considered sui generis, a rhapsodist beyond category, but an outsider still.

Second, and worse, Toshiko was a chick. From jazz's beginnings some women, mostly singers, had been let in the front door. (Who could withstand the storm that was Bessie Smith or the horn-like grace of Billy Holiday?) But female instrumentalists were of a decidedly lower order. There were exceptions, notably pianist Mary Lou Williams, but she, as the boys said, played "like a man."

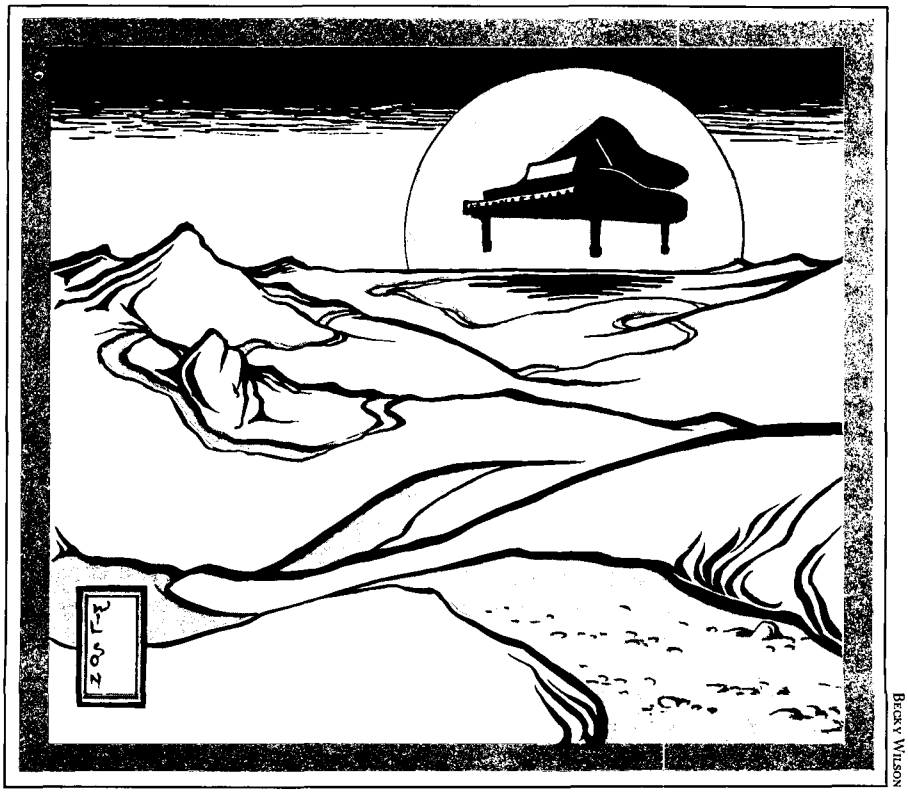
As an anonymous upholder of male jazz hegemony wrote to *Down Beat* in 1938: "It would seem that even though women are the weaker sex, they would be able to bring more out of a poor, defenseless horn than something that sounds like a cry for help. You can forgive them for lacking guts in their playing, but even women should be able to play with feeling and expression and they never do it."

That charge was not true then, and never had been in jazz. Hornwomen, as well as female pianists, had long been playing with guts, feeling, and expression; their ranks included Lovie Austin, cornetist Dolly Jones, Lil Armstrong, trumpeter Valaida Snow, and the whole International Sweethearts of Rhythm (particularly tenor saxist Viola Burnside). But the doctrine of innate male superiority in jazz continued to resist these hot distaff sounds. Chicks, the ritual went, did not have strong enough chops or soul. If God had intended women to swing, he would have made Satchmo a girl.

TOSHIKO CAME TO AMERICA anyway, to study at Boston's Berklee School. Shy, self-deprecating, extremely soft-spoken, she would, on occasion, sit in at a Boston club. The musicians, if they had not heard her before, would politely wait for the alien visitation to pass. (Alien, that is, in terms of her gender.) But from note one, Toshiko would swing so hard and deep that she rather shamed—involuntarily, I think—most of the more brittle men on the stand.

A few years later, in 1956, I was sitting at a table in a Greenwich Village club with Kenny Clarke, the headmaster of modern jazz drummers. Toshiko sat in with a combo, and, just as she had been doing in Boston, she pushed them into truer, more forceful time than they were accustomed to. Clarke laughed. "Hell," he said, "she has more guts in her playing than most of the men in this town, let alone on this stand."

For a time, Toshiko worked fairly regularly—in the early 1960s with her then husband, alto saxophonist Charlie Mariano, and then as leader of her own trios. Still, she didn't feel she was getting much of anywhere. Although she had shaped her own improvising style, Toshiko continued to be written and talked about as a Bud Powell disciple. (The chick's good, but she's not an orig-



BECKY WILSON

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inal. What woman, besides Mary Lou, could be?)

Toshiko also wanted very much to compose, and she had written originals all along the way; but what she heard in her head called for an orchestra. There were few enough of those in jazz; and none, so far as she could tell, was interested in what she had to say. Her rep, such as it was, came from her piano playing.

At one point, Toshiko felt that the odds against her moving higher in jazz had prevailed. She enrolled in a computer programming school in New York, but somehow she couldn't go through with it. Toshiko, remaining on the outskirts, stayed with the music.

By 1972, she and her second husband, tenor saxophonist-flutist, Lew Tabackin, had formed a big band on the West Coast. Toshiko was its leader, pianist, and composer-arranger. While she wrote many wholly indigenous jazz scores, Toshiko also increasingly worked at fusing elements of her Japanese musical roots with her new second language.

After all, she had told me a decade before, "jazz basically is so *individual* a way of playing. No matter what your color or your background, if you have an affinity for the music and learn its requirements, your own experiences are bound to come out in jazz terms. Certainly, it doesn't happen right away, but it *can* happen. And then you can weave jazz together with whatever other music you grew up to."

THE AKIYOSHI/TABACKIN big band had to pay a lot of dues. Long stretches of time often went by between gigs. But there was an enthusiastic audience in Japan, and tours there helped keep the band together.

In the summer of 1977, the band appeared at the Newport Jazz Festival–New York. It was to be tested in the Big Apple. Toshiko, shy as ever while she announced the numbers, was transformed into a crisply authoritative leader who shaped her ensemble of largely young, spirited musicians into marvelously multicolored performances that alternately swung robustly and created quite lovely, lyrical moods.

The apex of the Akiyoshi-Tabackin band's Newport set was "Minamata," a 22-minute work that tells solely in musical—not polemical—terms the anguishing story of Minamata, the Japanese fishing village where the plague of industrial pollution transmogrified many inhabitants into grotesque witnesses to corporate rapacity. (What happened to this village has also been told in photographer W. Eugene Smith's searing book on the devastation of Minamata.)

In parts of this basically jazz work, Toshiko interwove Japanese sounds (including the voice of a Noh artist) so organically that she clearly succeeded in annealing the music of both her beginnings and her maturity. And it is by no means an entirely somber composition. Included are jubilant sections, as well as luminously reflective passages. (The introductory vocal statement, by the way, was sung with graceful innocence by Toshiko's daughter, Michiru Mariano.)

"Minamata" is part of the band's new RCA album, *Insights,* a set that forcefully establishes this Akiyoshi-Tabackin ensemble as one of the freshest, most resourceful, and most diverse and absorbing orchestras in jazz. Previous invigorating sets by the band, all on RCA, are: *Road Time, Tales of a Courtesan,* and *Long Yellow Road*. And for a sense of how exhilarating Toshiko can be as a wholly improvising pianist, there is the *Toshiko Mariano Quartet,* originally produced by this writer in 1960 and now available on Barnaby Candid Jazz (distributed by Janus/GRT).

One of the tracks on that 1960 release is "Long Yellow Road," which, as I said in the notes, "began in part as a memory of [Toshiko's] childhood in Manchuria where the roads seemed to stretch into an endless yellow distance. . . . It is characteristic of Toshiko that these memories do not lead to mournful nostalgia but are evoked in an affirmation of what she is experiencing and feeling now. She neither cuts off her past nor clings to it."

AMONG TOSHIKO'S MOST recent experiences—one that came with particularly resonant personal, historical memories—was her appearance with the band at the first Women's Jazz Festival in Kansas City in March 1978. Said one of the organizers of the festival: "We're not sexist. There are going to be more men on the program than women. In Toshiko's band, she's the only woman. It's just that all the headliners are women. The men are sidemen."

It's about time listeners were shown what they have been missing all these years. Or, as the *Kansas City Star* said in a welcoming editorial, "When a woman jazz musician no longer comes as a surprise or is seen as a novelty, then the need for such special attention will be over."

And that will take more time. And Toshiko will be among those in the stereotype-dismantling lead. ❏

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